

**Calendar No. 95**

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1215**

**[Report No. 107–42]**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 20, 2001

Mr. HOLLINGS, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2002, and for other pur-  
6       poses, namely:

## 1 TITLE I—DEPARTMENT OF JUSTICE

## 2 GENERAL ADMINISTRATION

## 3 SALARIES AND EXPENSES

4 For expenses necessary for the administration of the  
5 Department of Justice, \$93,433,000, of which not to ex-  
6 ceed \$3,317,000 is for the Facilities Program 2000, to  
7 remain available until expended: *Provided*, That not to ex-  
8 ceed 43 permanent positions and 44 full-time equivalent  
9 workyears and \$8,136,000 shall be expended for the De-  
10 partment Leadership Program: *Provided further*, That not  
11 to exceed 41 permanent positions and 48 full-time equiva-  
12 lent workyears and \$4,811,000 shall be expended for the  
13 Offices of Legislative Affairs and Public Affairs: *Provided*  
14 *further*, That the Attorney General is authorized to trans-  
15 fer, under such terms and conditions as the Attorney Gen-  
16 eral shall specify, forfeited real or personal property of  
17 limited or marginal value, as such value is determined by  
18 guidelines established by the Attorney General, to a State  
19 or local government agency, or its designated contractor  
20 or transferee, for use to support drug abuse treatment,  
21 drug and crime prevention and education, housing, job  
22 skills, and other community-based public health and safety  
23 programs: *Provided further*, That any transfer under the  
24 preceding proviso shall not create or confer any private  
25 right of action in any person against the United States,

1 and shall be treated as a reprogramming under section  
2 605 of this Act.

3 JOINT AUTOMATED BOOKING SYSTEM

4 For expenses necessary for the nationwide deploy-  
5 ment of a Joint Automated Booking System including  
6 automated capability to transmit fingerprint and image  
7 data, \$22,500,000, to remain available until expended.

8 LEGAL ACTIVITIES OFFICE AUTOMATION

9 For necessary office-automation expenses of organi-  
10 zations funded under the headings “Salaries and Ex-  
11 penses”, General Legal Activities, and “Salaries and Ex-  
12 penses”, General Administration, and of the United States  
13 Attorneys, the United States Marshals Service, the Anti-  
14 trust Division, the United States Trustee Program, the  
15 Executive Office for Immigration Review, and the Com-  
16 munity Relations Service, \$34,600,000, to remain avail-  
17 able until expended.

18 NARROWBAND COMMUNICATIONS

19 For the costs of conversion to narrowband commu-  
20 nications, including the cost for operation and mainte-  
21 nance of Land Mobile Radio legacy systems,  
22 \$204,549,000, to remain available until expended.

23 PORT SECURITY

24 For expenses necessary for counter-terrorism,  
25 counter-narcotics, and other law enforcement activities at  
26 United States seaports, including Great Lakes ports,

1 \$39,950,000, to remain available until expended, to be  
 2 available only for facilities, equipment, and supplies occu-  
 3 pied or used by federal law enforcement agencies, includ-  
 4 ing the United States Customs Service.

5 ADMINISTRATIVE REVIEW AND APPEALS

6 For expenses necessary for the administration of par-  
 7 don and clemency petitions and immigration related activi-  
 8 ties, \$45,813,000.

9 DETENTION TRUSTEE

10 For necessary expenses of the Federal Detention  
 11 Trustee who shall exercise all power and functions author-  
 12 ized by law relating to the detention of Federal prisoners  
 13 in non-Federal institutions or otherwise in the custody of  
 14 the United States Marshals Service; and the detention of  
 15 aliens in the custody of the Immigration and Naturaliza-  
 16 tion Service, \$88,884,000, of which \$87,166,000 shall be  
 17 available only for prisoner movements handled by the Jus-  
 18 tice Prisoner and Alien Transportation System: *Provided*,  
 19 That the Trustee shall be responsible for overseeing con-  
 20 struction of detention facilities or for housing related to  
 21 such detention; the management of funds appropriated to  
 22 the Department for the exercise of any detention func-  
 23 tions; and the direction of the United States Marshals  
 24 Service and Immigration and Naturalization Service with  
 25 respect to the exercise of detention policy setting and oper-  
 26 ations for the Department.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, as amended, \$46,006,000; including  
5 not to exceed \$10,000 to meet unforeseen emergencies of  
6 a confidential character, to be expended under the direc-  
7 tion of, and to be accounted for solely under the certificate  
8 of, the Attorney General; and for the acquisition, lease,  
9 maintenance, and operation of motor vehicles, without re-  
10 gard to the general purchase price limitation for the cur-  
11 rent fiscal year.

## 12 UNITED STATES PAROLE COMMISSION

## 13 SALARIES AND EXPENSES

14 For necessary expenses of the United States Parole  
15 Commission as authorized by law, \$8,836,000.

## 16 LEGAL ACTIVITIES

## 17 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

18 For expenses necessary for the legal activities of the  
19 Department of Justice, not otherwise provided for, includ-  
20 ing not to exceed \$20,000 for expenses of collecting evi-  
21 dence, to be expended under the direction of, and to be  
22 accounted for solely under the certificate of, the Attorney  
23 General; and rent of private or Government-owned space  
24 in the District of Columbia, \$527,543,000: *Provided*, That  
25 of the funds made available in this appropriation,

1 \$2,612,000 shall remain available until expended only for  
 2 courtroom technology: *Provided further*, That of the total  
 3 amount appropriated, not to exceed \$1,000 shall be avail-  
 4 able to the United States National Central Bureau,  
 5 INTERPOL, for representation expenses.

6 In addition, for reimbursement of expenses of the De-  
 7 partment of Justice associated with processing cases  
 8 under the National Childhood Vaccine Injury Act of 1986,  
 9 as amended, not to exceed \$4,028,000, to be appropriated  
 10 from the Vaccine Injury Compensation Trust Fund.

11 SALARIES AND EXPENSES, ANTITRUST DIVISION

12 For expenses necessary for the enforcement of anti-  
 13 trust and kindred laws, \$130,791,000: *Provided*, That,  
 14 notwithstanding any other provision of law, not to exceed  
 15 \$130,791,000 of offsetting collections derived from fees  
 16 collected for premerger notification filings under the Hart-  
 17 Scott-Rodino Antitrust Improvements Act of 1976 (15  
 18 U.S.C. 18a), regardless of the year of collection, shall be  
 19 retained and used for necessary expenses in this appro-  
 20 priation, and shall remain available until expended: *Pro-*  
 21 *vided further*, That the sum herein appropriated from the  
 22 general fund shall be reduced as such offsetting collections  
 23 are received during fiscal year 2002, so as to result in  
 24 a final fiscal year 2002 appropriation from the general  
 25 fund estimated at not more than \$0.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Offices of the United  
3 States Attorneys, including inter-governmental and coop-  
4 erative agreements, \$1,260,353,000; of which not to ex-  
5 ceed \$2,500,000 shall be available until September 30,  
6 2003, for: (1) training personnel in debt collection; (2) lo-  
7 cating debtors and their property; (3) paying the net costs  
8 of selling property; and (4) tracking debts owed to the  
9 United States Government: *Provided*, That of the total  
10 amount appropriated, not to exceed \$8,000 shall be avail-  
11 able for official reception and representation expenses:  
12 *Provided further*, That of the amount made available  
13 under this heading, \$6,000,000 shall be available only to  
14 procure, operate, and maintain gunfire surveillance equip-  
15 ment to support gun prosecution initiatives in high crime  
16 areas: *Provided further*, That not to exceed \$10,000,000  
17 of those funds available for automated litigation support  
18 contracts shall remain available until expended: *Provided*  
19 *further*, That, notwithstanding any other provision of law,  
20 the Attorney General shall transfer to the Department of  
21 Justice Working Capital Fund, unobligated, all unex-  
22 pended funds appropriated by the first heading of chapter  
23 2 of title II of division B of Public Law 106–246 and by  
24 section 202 of division A of appendix H.R. 5666 of Public  
25 Law 106–554: *Provided further*, That not to exceed

1 \$2,500,000 for the operation of the National Advocacy  
 2 Center shall remain available until expended: *Provided fur-*  
 3 *ther*, That the fourth proviso under the heading “Salaries  
 4 and Expenses, United States Attorneys” in title I of H.R.  
 5 3421 of the 106th Congress, as enacted by section  
 6 1000(a)(1) of Public Law 106–113 shall apply to amounts  
 7 made available under this heading for fiscal year 2002:  
 8 *Provided further*, That, in addition to reimbursable full-  
 9 time equivalent workyears available to the Offices of the  
 10 United States Attorneys, not to exceed 9,539 positions  
 11 and 9,607 full-time equivalent workyears shall be sup-  
 12 ported from the funds appropriated in this Act for the  
 13 United States Attorneys.

14 UNITED STATES TRUSTEE SYSTEM FUND

15 For necessary expenses of the United States Trustee  
 16 Program, as authorized by 28 U.S.C. 589a(a),  
 17 \$154,044,000, to remain available until expended and to  
 18 be derived from the United States Trustee System Fund:  
 19 *Provided*, That, notwithstanding any other provision of  
 20 law, deposits to the Fund shall be available in such  
 21 amounts as may be necessary to pay refunds due deposi-  
 22 tors: *Provided further*, That, notwithstanding any other  
 23 provision of law, \$154,044,000 of offsetting collections  
 24 pursuant to 28 U.S.C. 589a(b) shall be retained and used  
 25 for necessary expenses in this appropriation and remain  
 26 available until expended: *Provided further*, That the sum



1 herein appropriated from the Fund shall be reduced as  
 2 such offsetting collections are received during fiscal year  
 3 2002, so as to result in a final fiscal year 2002 appropria-  
 4 tion from the Fund estimated at \$0.

5 SALARIES AND EXPENSES, FOREIGN CLAIMS

6 SETTLEMENT COMMISSION

7 For expenses necessary to carry out the activities of  
 8 the Foreign Claims Settlement Commission, including  
 9 services as authorized by 5 U.S.C. 3109, \$1,130,000.

10 SALARIES AND EXPENSES, UNITED STATES MARSHALS

11 SERVICE

12 For necessary expenses of the United States Mar-  
 13 shals Service, including the acquisition, lease, mainte-  
 14 nance, and operation of vehicles, and the purchase of pas-  
 15 senger motor vehicles for police-type use, without regard  
 16 to the general purchase price limitation for the current  
 17 fiscal year, \$644,746,000; of which not to exceed \$6,000  
 18 shall be available for official reception and representation  
 19 expenses; and of which not to exceed \$4,000,000 for devel-  
 20 opment, implementation, maintenance and support, and  
 21 training for an automated prisoner information system  
 22 shall remain available until expended.

23 In addition, for the costs of courthouse security  
 24 equipment, including furnishings, relocations, and tele-  
 25 phone systems and cabling, \$18,145,000, to remain avail-  
 26 able until expended.

## 1 CONSTRUCTION

2 For planning, constructing, renovating, equipping,  
3 and maintaining United States Marshals Service prisoner-  
4 holding space in United States courthouses and Federal  
5 buildings, including the renovation and expansion of pris-  
6 oner movement areas, elevators, and sallyports,  
7 \$25,812,000, to remain available until expended.

8 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM  
9 FUND, UNITED STATES MARSHALS SERVICE

10 For necessary expenses to procure replacement air-  
11 craft, \$53,050,000, to remain available until expended,  
12 shall be available only for the purchase of two long-range,  
13 wide body aircraft.

## 14 FEDERAL PRISONER DETENTION

15 For expenses, related to United States prisoners in  
16 the custody of the United States Marshals Service, but  
17 not including expenses otherwise provided for in appro-  
18 priations available to the Attorney General, \$724,682,000,  
19 to remain available until expended.

## 20 FEES AND EXPENSES OF WITNESSES

21 For expenses, mileage, compensation, and per diems  
22 of witnesses, for expenses of contracts for the procurement  
23 and supervision of expert witnesses, for private counsel ex-  
24 penses, and for per diems in lieu of subsistence, as author-  
25 ized by law, including advances, \$156,145,000, to remain  
26 available until expended; of which not to exceed

1 \$6,000,000 may be made available for planning, construc-  
2 tion, renovations, maintenance, remodeling, and repair of  
3 buildings, and the purchase of equipment incident thereto,  
4 for protected witness safesites; of which not to exceed  
5 \$1,000,000 may be made available for the purchase and  
6 maintenance of armored vehicles for transportation of pro-  
7 tected witnesses; and of which not to exceed \$5,000,000  
8 may be made available for the purchase, installation, and  
9 maintenance of secure telecommunications equipment and  
10 a secure automated information network to store and re-  
11 trieve the identities and locations of protected witnesses.

12 SALARIES AND EXPENSES, COMMUNITY RELATIONS

13 SERVICE

14 For necessary expenses of the Community Relations  
15 Service, \$9,269,000 and, in addition, up to \$1,000,000 of  
16 funds made available to the Department of Justice in this  
17 Act may be transferred by the Attorney General to this  
18 account.

19 ASSETS FORFEITURE FUND

20 For expenses authorized by 28 U.S.C.  
21 524(c)(1)(A)(ii), (B), (F), and (G), as amended,  
22 \$22,949,000, to be derived from the Department of Jus-  
23 tice Assets Forfeiture Fund.

## 1                    RADIATION EXPOSURE COMPENSATION

## 2                    ADMINISTRATIVE EXPENSES

3            For necessary administrative expenses in accordance  
4 with the Radiation Exposure Compensation Act,  
5 \$1,996,000.

## 6            PAYMENT TO RADIATION EXPOSURE COMPENSATION

## 7                    TRUST FUND

8            For payments to the Radiation Exposure Compensa-  
9 tion Trust Fund of claims covered by the Radiation Expo-  
10 sure Compensation Act as in effect on June 1, 2000,  
11 \$10,776,000.

## 12                   INTERAGENCY LAW ENFORCEMENT

## 13                   INTERAGENCY CRIME AND DRUG ENFORCEMENT

14            For necessary expenses for the detection, investiga-  
15 tion, and prosecution of individuals involved in organized  
16 crime drug trafficking not otherwise provided for, to in-  
17 clude inter-governmental agreements with State and local  
18 law enforcement agencies engaged in the investigation and  
19 prosecution of individuals involved in organized crime drug  
20 trafficking, \$336,966,000, of which \$50,000,000 shall re-  
21 main available until expended: *Provided*, That any  
22 amounts obligated from appropriations under this heading  
23 may be used under authorities available to the organiza-  
24 tions reimbursed from this appropriation: *Provided fur-*  
25 *ther*, That any unobligated balances remaining available  
26 at the end of the fiscal year shall revert to the Attorney

1 General for reallocation among participating organizations  
2 in succeeding fiscal years, subject to the reprogramming  
3 procedures described in section 605 of this Act.

4 FEDERAL BUREAU OF INVESTIGATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Bureau of In-  
7 vestigation for detection, investigation, and prosecution of  
8 crimes against the United States; including purchase for  
9 police-type use of not to exceed 1,354 passenger motor ve-  
10 hicles, of which 1,190 will be for replacement only, without  
11 regard to the general purchase price limitation for the cur-  
12 rent fiscal year, and hire of passenger motor vehicles; ac-  
13 quisition, lease, maintenance, and operation of aircraft;  
14 and not to exceed \$70,000 to meet unforeseen emergencies  
15 of a confidential character, to be expended under the di-  
16 rection of, and to be accounted for solely under the certifi-  
17 cate of, the Attorney General, \$3,425,041,000; of which  
18 not to exceed \$50,000,000 for automated data processing  
19 and telecommunications and technical investigative equip-  
20 ment and not to exceed \$1,000,000 for undercover oper-  
21 ations shall remain available until September 30, 2003;  
22 of which not less than \$485,278,000 shall be for  
23 counterterrorism investigations, foreign counterintel-  
24 ligence, and other activities related to our national secu-  
25 rity; of which not to exceed \$10,000,000 is authorized to

1 be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses: *Provided further*, That of the amount made available under this heading, \$53,000 shall be available only to reimburse Acadian Ambulance & Air Med Services for costs incurred during the December 1999 prison riot in St. Martin Parish Correctional Center, St. Martin Parish, Louisiana.

#### 13 CONSTRUCTION

14 For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; \$44,074,000, to remain available until expended.

#### 20 DRUG ENFORCEMENT ADMINISTRATION

##### 21 SALARIES AND EXPENSES

22 For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; ex-

1 penses for conducting drug education and training pro-  
2 grams, including travel and related expenses for partici-  
3 pants in such programs and the distribution of items of  
4 token value that promote the goals of such programs; pur-  
5 chase of not to exceed 1,477 passenger motor vehicles, of  
6 which 1,354 will be for replacement only, for police-type  
7 use without regard to the general purchase price limitation  
8 for the current fiscal year; and acquisition, lease, mainte-  
9 nance, and operation of aircraft, \$1,489,779,000; of which  
10 \$33,000,000 for permanent change of station shall remain  
11 available until September 30, 2003; of which not to exceed  
12 \$1,800,000 for research shall remain available until ex-  
13 pended, and of which not to exceed \$4,000,000 for pur-  
14 chase of evidence and payments for information, not to  
15 exceed \$10,000,000 for contracting for automated data  
16 processing and telecommunications equipment, and not to  
17 exceed \$2,000,000 for laboratory equipment, \$4,000,000  
18 for technical equipment, and \$2,000,000 for aircraft re-  
19 placement retrofit and parts, shall remain available until  
20 September 30, 2003; of which not to exceed \$50,000 shall  
21 be available for official reception and representation ex-  
22 penses.

## 1       IMMIGRATION AND NATURALIZATION SERVICE

## 2                       SALARIES AND EXPENSES

3       For expenses, not otherwise provided for, necessary  
4 for the administration and enforcement of the laws relat-  
5 ing to immigration, naturalization, and alien registration,  
6 including not to exceed \$50,000 to meet unforeseen emer-  
7 gencies of a confidential character, to be expended under  
8 the direction of, and to be accounted for solely under the  
9 certificate of, the Attorney General; purchase for police-  
10 type use (not less than 3,165 passenger motor vehicles,  
11 of which not less than 2,211 are for replacement only),  
12 without regard to the general purchase price limitation for  
13 the current fiscal year, and hire of passenger motor vehi-  
14 cles; acquisition, lease, maintenance and operation of air-  
15 craft; research related to immigration enforcement; for  
16 protecting and maintaining the integrity of the borders of  
17 the United States including, without limitation, equipping,  
18 maintaining, and making improvements to the infrastruc-  
19 ture; and for the care and housing of Federal detainees  
20 held in the joint Immigration and Naturalization Service  
21 and United States Marshals Service's Buffalo Detention  
22 Facility, \$3,176,037,000; of which not to exceed \$400,000  
23 for research shall remain available until expended; of  
24 which not to exceed \$10,000,000 shall be available for  
25 costs associated with the training program for basic officer



1 training; of which not to exceed \$5,000,000 is for pay-  
2 ments or advances arising out of contractual or reimburs-  
3 able agreements with State and local law enforcement  
4 agencies while engaged in cooperative activities related to  
5 immigration; of which not to exceed \$5,000,000 is to fund  
6 or reimburse other Federal agencies for the costs associ-  
7 ated with the care, maintenance, and repatriation of  
8 smuggled illegal aliens: *Provided*, That none of the funds  
9 available to the Immigration and Naturalization Service  
10 shall be available to pay any employee overtime pay in an  
11 amount in excess of \$1,153 per pay period during the cal-  
12 endar year beginning January 1, 2002: *Provided further*,  
13 That uniforms may be purchased without regard to the  
14 general purchase price limitation for the current fiscal  
15 year: *Provided further*, That not to exceed \$45,000 shall  
16 be available for official reception and representation ex-  
17 penses: *Provided further*, That not to exceed 30 permanent  
18 positions and 30 full-time equivalent workyears and not  
19 to exceed \$4,300,000 shall be expended for the Offices of  
20 Legislative Affairs and Public Affairs: *Provided further*,  
21 That the latter two aforementioned offices shall be aug-  
22 mented by personnel details, temporary transfers of per-  
23 sonnel on either a reimbursable or non-reimbursable basis,  
24 or any other type of formal or informal transfer or reim-  
25 bursement of personnel or funds on either a temporary

1 or long-term basis and such augmentation may not exceed  
 2 10 full-time equivalent workyears.

3 CONSTRUCTION

4 For planning, purchase of construction vehicles, con-  
 5 struction, renovation, equipping, and maintenance of  
 6 buildings and facilities necessary for the administration  
 7 and enforcement of the laws relating to immigration, natu-  
 8 ralization, and alien registration, not otherwise provided  
 9 for, \$205,015,000, to remain available until expended, of  
 10 which \$3,000,000 shall be available only to comply with  
 11 Occupational Safety and Health Administration programs.

12 FEDERAL PRISON SYSTEM

13 SALARIES AND EXPENSES

14 For expenses necessary for the administration, oper-  
 15 ation, and maintenance of Federal penal and correctional  
 16 institutions, including purchase (not to exceed 685, of  
 17 which 610 are for replacement only) and hire of law en-  
 18 forcement and passenger motor vehicles, and for the provi-  
 19 sion of technical assistance and advice on corrections re-  
 20 lated issues to foreign governments, \$3,786,228,000: *Pro-*  
 21 *vided*, That the Attorney General may transfer to the  
 22 Health Resources and Services Administration such  
 23 amounts as may be necessary for direct expenditures by  
 24 that Administration for medical relief for inmates of Fed-  
 25 eral penal and correctional institutions: *Provided further*,  
 26 That the Director of the Federal Prison System (FPS),

1 where necessary, may enter into contracts with a fiscal  
2 agent/fiscal intermediary claims processor to determine  
3 the amounts payable to persons who, on behalf of FPS,  
4 furnish health services to individuals committed to the  
5 custody of FPS: *Provided further*, That not to exceed  
6 \$6,000 shall be available for official reception and rep-  
7 resentation expenses: *Provided further*, That not to exceed  
8 \$50,000,000 shall remain available for necessary oper-  
9 ations until September 30, 2003: *Provided further*, That,  
10 of the amounts provided for Contract Confinement, not  
11 to exceed \$20,000,000 shall remain available until ex-  
12 pended to make payments in advance for grants, contracts  
13 and reimbursable agreements, and other expenses author-  
14 ized by section 501(c) of the Refugee Education Assist-  
15 ance Act of 1980, as amended, for the care and security  
16 in the United States of Cuban and Haitian entrants: *Pro-*  
17 *vided further*, That the Director of the Federal Prison Sys-  
18 tem may accept donated property and services relating to  
19 the operation of the prison card program from a not-for-  
20 profit entity which has operated such program in the past  
21 notwithstanding the fact that such not-for-profit entity  
22 furnishes services under contracts to the Federal Prison  
23 System relating to the operation of pre-release services,  
24 halfway houses or other custodial facilities.

## BUILDINGS AND FACILITIES

1  
2 For planning, acquisition of sites and construction of  
3 new facilities; purchase and acquisition of facilities and re-  
4 modeling, and equipping of such facilities for penal and  
5 correctional use, including all necessary expenses incident  
6 thereto, by contract or force account; and constructing,  
7 remodeling, and equipping necessary buildings and facili-  
8 ties at existing penal and correctional institutions, includ-  
9 ing all necessary expenses incident thereto, by contract or  
10 force account, \$899,797,000, to remain available until ex-  
11 pended, of which not to exceed \$14,000,000 shall be avail-  
12 able to construct areas for inmate work programs: *Pro-*  
13 *vided*, That labor of United States prisoners may be used  
14 for work performed under this appropriation: *Provided*  
15 *further*, That, of the amount made available under this  
16 heading, \$66,524,000, to remain available until expended,  
17 shall be transferred to, and merged with, funds in the  
18 “Immigration and Naturalization Service, Construction”  
19 appropriations account, to be available only for the con-  
20 struction of detention facilities: *Provided further*, That not  
21 to exceed 10 percent of the funds appropriated to “Build-  
22 ings and Facilities” in this or any other Act may be trans-  
23 ferred to “Salaries and Expenses”, Federal Prison Sys-  
24 tem, upon notification by the Attorney General to the  
25 Committees on Appropriations of the House of Represent-

1 atives and the Senate in compliance with provisions set  
2 forth in section 605 of this Act.

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

4 The Federal Prison Industries, Incorporated, is here-  
5 by authorized to make such expenditures, within the limits  
6 of funds and borrowing authority available, and in accord  
7 with the law, and to make such contracts and commit-  
8 ments, without regard to fiscal year limitations as pro-  
9 vided by section 9104 of title 31, United States Code, as  
10 may be necessary in carrying out the program set forth  
11 in the budget for the current fiscal year for such corpora-  
12 tion, including purchase of (not to exceed five for replace-  
13 ment only) and hire of passenger motor vehicles.

14 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL  
15 PRISON INDUSTRIES, INCORPORATED

16 Not to exceed \$3,429,000 of the funds of the corpora-  
17 tion shall be available for its administrative expenses, and  
18 for services as authorized by 5 U.S.C. 3109, to be com-  
19 puted on an accrual basis to be determined in accordance  
20 with the corporation's current prescribed accounting sys-  
21 tem, and such amounts shall be exclusive of depreciation,  
22 payment of claims, and expenditures which the said ac-  
23 counting system requires to be capitalized or charged to  
24 cost of commodities acquired or produced, including sell-  
25 ing and shipping expenses, and expenses in connection  
26 with acquisition, construction, operation, maintenance, im-

1   provement, protection, or disposition of facilities and other  
2   property belonging to the corporation or in which it has  
3   an interest.

#### 4                   OFFICE OF JUSTICE PROGRAMS

##### 5                   JUSTICE ASSISTANCE

6       For grants, contracts, cooperative agreements, and  
7   other assistance authorized by title I of the Omnibus  
8   Crime Control and Safe Streets Act of 1968, as amended  
9   (“the 1968 Act”), and the Missing Children’s Assistance  
10   Act, as amended, including salaries and expenses in con-  
11   nection therewith, and with the Victims of Crime Act of  
12   1984, as amended, \$200,738,000, to remain available  
13   until expended, as authorized by section 1001 of title I  
14   of the Omnibus Crime Control and Safe Streets Act of  
15   1968, as amended by Public Law 102–534 (106 Stat.  
16   3524).

17       In addition, for grants, cooperative agreements, and  
18   other assistance authorized by sections 819 and 821 of  
19   the Antiterrorism and Effective Death Penalty Act of  
20   1996 and for other counterterrorism programs,  
21   \$364,000,000, to remain available until expended.

##### 22                   STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

23       For assistance authorized by the Violent Crime Con-  
24   trol and Law Enforcement Act of 1994 (Public Law 103–  
25   322), as amended (“the 1994 Act”); the Omnibus Crime  
26   Control and Safe Streets Act of 1968, as amended (“the

1 1968 Act”); and the Victims of Child Abuse Act of 1990,  
 2 as amended (“the 1990 Act”), \$2,089,990,000 (including  
 3 amounts for administrative costs, which shall be trans-  
 4 ferred to and merged with the “Justice Assistance” ac-  
 5 count), to remain available until expended as follows:

6 (1) \$400,000,000 for Local Law Enforcement  
 7 Block Grants, pursuant to H.R. 728 as passed by  
 8 the House of Representatives on February 14, 1995,  
 9 except that for purposes of this Act, Guam shall be  
 10 considered a “State”, the Commonwealth of Puerto  
 11 Rico shall be considered a “unit of local govern-  
 12 ment” as well as a “State”, for the purposes set  
 13 forth in paragraphs (A), (B), (D), (F), and (I) of  
 14 section 101(a)(2) of H.R. 728 and for establishing  
 15 crime prevention programs involving cooperation be-  
 16 tween community residents and law enforcement  
 17 personnel in order to control, detect, or investigate  
 18 crime or the prosecution of criminals: *Provided*, That  
 19 no funds provided under this heading may be used  
 20 as matching funds for any other Federal grant pro-  
 21 gram, of which:

22 (a) \$80,000,000 shall be for Boys and  
 23 Girls Clubs in public housing facilities and  
 24 other areas in cooperation with State and local  
 25 law enforcement: *Provided*, That funds may

1           also be used to defray the costs of indemnifica-  
2           tion insurance for law enforcement officers, and

3           (b) \$19,956,000 shall be available for  
4           grants, contracts, and other assistance to carry  
5           out section 102(c) of H.R. 728;

6           (2) \$265,000,000 for the State Criminal Alien  
7           Assistance Program, as authorized by section 242(j)  
8           of the Immigration and Nationality Act, as amend-  
9           ed;

10          (3) \$35,000,000 shall be available for the Coop-  
11          erative Agreement Program;

12          (4) \$35,191,000 shall be available for grants  
13          under section 20109(a)(2) of subtitle A of title II of  
14          the 1994 Act;

15          (5) \$7,982,000 for the Tribal Courts Initiative;

16          (6) \$578,125,000 for programs authorized by  
17          part E of title I of the 1968 Act, notwithstanding  
18          the provisions of section 511 of said Act, of which  
19          \$78,125,000 shall be for discretionary grants under  
20          the Edward Byrne Memorial State and Local Law  
21          Enforcement Assistance Programs;

22          (7) \$11,975,000 for the Court Appointed Spe-  
23          cial Advocate Program, as authorized by section 218  
24          of the 1990 Act;



1           (8) \$2,296,000 for Child Abuse Training Pro-  
2           grams for Judicial Personnel and Practitioners, as  
3           authorized by section 224 of the 1990 Act;

4           (9) \$184,937,000 for Grants to Combat Vio-  
5           lence Against Women, to States, units of local gov-  
6           ernment, and Indian tribal governments, as author-  
7           ized by section 1001(a)(18) of the 1968 Act, of  
8           which:

9                   (a) \$1,000,000 shall be for the Bureau of  
10                  Justice Statistics for grants, contracts, and  
11                  other assistance for domestic violence federal  
12                  case processing study,

13                  (b) \$5,200,000 shall be for the National  
14                  Institute of Justice for grants, contracts, and  
15                  other assistance for research and evaluation of  
16                  violence against women, and

17                  (c) \$10,000,000 shall be for the Office of  
18                  Juvenile Justice and Delinquency Prevention  
19                  for the Safe Start Program, to be administered  
20                  as authorized by part C of the Juvenile Justice  
21                  and Delinquency Act of 1974, as amended;

22           (10) \$64,925,000 for Grants to Encourage Ar-  
23           rest Policies to States, units of local government,  
24           and Indian tribal governments, as authorized by sec-  
25           tion 1001(a)(19) of the 1968 Act;

1           (11) \$39,945,000 for Rural Domestic Violence  
2           and Child Abuse Enforcement Assistance Grants, as  
3           authorized by section 40295 of the 1994 Act;

4           (12) \$4,989,000 for training programs to assist  
5           probation and parole officers who work with released  
6           sex offenders, as authorized by section 40152(c) of  
7           the 1994 Act, and for local demonstration projects;

8           (13) \$998,000 for grants for televised testi-  
9           mony, as authorized by section 1001(a)(7) of the  
10          1968 Act;

11          (14) \$3,000,000 for grants to States and units  
12          of local government to improve the process for enter-  
13          ing data regarding stalking and domestic violence  
14          into local, State, and national crime information  
15          databases, as authorized by section 40602 of the  
16          1994 Act;

17          (15) \$10,000,000 for grants to reduce Violent  
18          Crimes Against Women on Campus, as authorized  
19          by section 1108(a) of Public Law 106–386;

20          (16) \$40,000,000 for Legal Assistance for Vic-  
21          tims, as authorized by section 1201 of Public Law  
22          106–386;

23          (17) \$5,000,000 for enhancing protection for  
24          older and disabled women from domestic violence

1 and sexual assault as authorized by section 40801 of  
2 the 1994 Act;

3 (18) \$15,000,000 for the Safe Havens for Chil-  
4 dren Pilot Program as authorized by section 1301 of  
5 Public Law 106–386;

6 (19) \$7,500,000 for Education and Training to  
7 end violence against and abuse of women with dis-  
8 abilities, as authorized by section 1402 of Public  
9 Law 106–386;

10 (20) \$68,000,000 for grants for residential sub-  
11 stance abuse treatment for State prisoners, as au-  
12 thorized by section 1001(a)(17) of the 1968 Act:  
13 *Provided*, That States that have in-prison drug  
14 treatment programs, in compliance with Federal re-  
15 quirements, may use their residential substance  
16 abuse grants funds for treatment, both during incar-  
17 ceration and after release;

18 (21) \$4,989,000 for demonstration grants on  
19 alcohol and crime in Indian Country;

20 (22) \$898,000 for the Missing Alzheimer’s Dis-  
21 ease Patient Alert Program, as authorized by section  
22 240001(c) of the 1994 Act;

23 (23) \$50,000,000 for Drug Courts, as author-  
24 ized by title V of the 1994 Act;

1           (24) \$1,497,000 for Law Enforcement Family  
2       Support Programs, as authorized by section  
3       1001(a)(21) of the 1968 Act;

4           (25) \$1,995,000 for public awareness programs  
5       addressing marketing scams aimed at senior citi-  
6       zens, as authorized by section 250005(3) of the  
7       1994 Act;

8           (26) \$249,450,000 for Juvenile Accountability  
9       Incentive Block Grants except that such funds shall  
10      be subject to the same terms and conditions as set  
11      forth in the provisions under this heading for this  
12      program in Public Law 105–119, but all references  
13      in such provisions to 1998 shall be deemed to refer  
14      instead to 2002, and Guam shall be considered a  
15      “State” for the purposes of title III of H.R. 3, as  
16      passed by the House of Representatives on May 8,  
17      1997; and

18           (27) \$1,298,000 for the Motor Vehicle Theft  
19      Prevention Programs, as authorized by section  
20      220002(h) of the 1994 Act:

21   *Provided*, That funds made available in fiscal year 2002  
22   under subpart 1 of part E of title I of the 1968 Act may  
23   be obligated for programs to assist States in the litigation  
24   processing of death penalty Federal habeas corpus peti-  
25   tions and for drug testing initiatives: *Provided further*,

1 That, if a unit of local government uses any of the funds  
2 made available under this title to increase the number of  
3 law enforcement officers, the unit of local government will  
4 achieve a net gain in the number of law enforcement offi-  
5 cers who perform nonadministrative public safety service.

6 WEED AND SEED PROGRAM FUND

7 For necessary expenses, including salaries and re-  
8 lated expenses of the Executive Office for Weed and Seed,  
9 to implement “Weed and Seed” program activities,  
10 \$58,925,000, to remain available until expended, for inter-  
11 governmental agreements, including grants, cooperative  
12 agreements, and contracts, with State and local law en-  
13 forcement agencies, non-profit organizations, and agencies  
14 of local government, engaged in the investigation and  
15 prosecution of violent crimes and drug offenses in “Weed  
16 and Seed” designated communities, and for either reim-  
17 bursements or transfers to appropriation accounts of the  
18 Department of Justice and other Federal agencies which  
19 shall be specified by the Attorney General to execute the  
20 “Weed and Seed” program strategy: *Provided*, That funds  
21 designated by Congress through language for other De-  
22 partment of Justice appropriation accounts for “Weed and  
23 Seed” program activities shall be managed and executed  
24 by the Attorney General through the Executive Office for  
25 Weed and Seed: *Provided further*, That the Attorney Gen-  
26 eral may direct the use of other Department of Justice

1 funds and personnel in support of “Weed and Seed” pro-  
 2 gram activities only after the Attorney General notifies the  
 3 Committees on Appropriations of the House of Represent-  
 4 atives and the Senate in accordance with section 605 of  
 5 this Act.

#### 6 COMMUNITY ORIENTED POLICING SERVICES

7 For activities authorized by the Violent Crime Con-  
 8 trol and Law Enforcement Act of 1994, Public Law 103–  
 9 322 (“the 1994 Act”) (including administrative costs),  
 10 \$1,019,874,000, to remain available until expended; of  
 11 which \$150,962,000 shall be available to the Office of Jus-  
 12 tice Programs to carry out section 102 of the Crime Ident-  
 13 tification Technology Act of 1998 (42 U.S.C. 14601), of  
 14 which \$35,000,000 is for grants to upgrade criminal  
 15 records, as authorized under the Crime Identification  
 16 Technology Act of 1998 (42 U.S.C. 14601), of which  
 17 \$35,000,000 is for DNA testing as authorized by the DNA  
 18 Analysis Backlog Elimination Act of 2000 (Public Law  
 19 106–546), of which \$35,000,000 is for the State and local  
 20 DNA laboratories as authorized by section 1001(a)(22) of  
 21 the 1968 Act, and improvements to the State and local  
 22 forensic general science capabilities to reduce State and  
 23 local DNA convicted offender sample backlog and for  
 24 awards to State, local, and private laboratories, and of  
 25 which \$17,000,000 is for the National Institute of Justice

1 for grants, contracts, and other agreements to develop  
2 school safety technologies and training; of which  
3 \$510,524,000 is for Public Safety and Community Policing  
4 Grants pursuant to title I of the 1994 Act, of which  
5 \$190,291,000 shall be available for the COPS hiring program,  
6 of which \$180,000,000 shall be available for school resource  
7 officers, of which \$31,315,000 shall be used to improve tribal  
8 law enforcement including equipment and training, of which  
9 \$25,444,000 shall be used for the Matching Grant Program  
10 for Law Enforcement Armor Vests pursuant to section 2501 of  
11 part Y of the Omnibus Crime Control and Safe Streets Act of  
12 1968 (“the 1968 Act”), as amended, of which \$30,000,000  
13 shall be used for Police Corps education, training, and service  
14 as set forth in sections 200101–200113 of the 1994 Act, and  
15 of which \$20,662,000 shall be used to provide training and  
16 technical assistance; of which \$155,467,000 shall be used  
17 for a law enforcement technology program, of which  
18 \$7,202,000, to remain available until September 30, 2003,  
19 shall be transferred to, and merged with, funds in the Federal  
20 Bureau of Investigation, “Salaries and Expenses” appropriations  
21 account to be available only to maintain or establish not more  
22 than 4 regional computer forensic labs in affiliation with the  
23 Federal Bureau of Investigation Laboratory Division, of which  
24 \$1,005,000, to remain

1 available until September 30, 2003, shall be transferred  
2 to, and merged with, funds in the Federal Bureau of In-  
3 vestigation, “Salaries and Expenses” appropriations ac-  
4 count to be available only to expand the Violent Criminal  
5 Apprehension Program to include sexual assault, of which  
6 \$350,000 shall be transferred to, and merged with, funds  
7 in the “Salaries and Expenses”, General Legal Activities  
8 appropriations account to be available only for equipment  
9 to connect Interpol to the National Law Enforcement  
10 Telecommunications System, and of which \$4,000,000, to  
11 remain available until September 30, 2003, shall be trans-  
12 ferred to, and merged with, funds in the Federal Bureau  
13 of Investigation, “Salaries and Expenses” appropriations  
14 account to be available only to maintain or establish not  
15 more than 4 regional mitochondrial DNA forensic labs in  
16 affiliation with the Federal Bureau of Investigation Lab-  
17 oratory Division; of which \$48,393,000 shall be used for  
18 policing initiatives to combat methamphetamine produc-  
19 tion and trafficking and to enhance policing initiatives in  
20 drug “hot spots”; of which \$99,780,000 for a prosecution  
21 assistance program to reimburse State, county, parish, or  
22 municipal governments only for Federal costs associated  
23 with the prosecution of criminal cases declined by local  
24 U.S. Attorneys’ offices, of which \$49,780,000 shall be for  
25 a national program to reduce gun violence, and of which



1 \$50,000,000 shall be for the Southwest Border Prosecutor  
 2 Initiative; of which \$16,963,000 shall be for a police integ-  
 3 rity program; of which \$22,851,000 is for the Safe Schools  
 4 Initiative; and of which \$14,934,000 shall be for an of-  
 5 fender re-entry program: *Provided*, That of the amount  
 6 provided for Public Safety and Community Policing  
 7 Grants, not to exceed \$32,812,000 shall be expended for  
 8 program management and administration: *Provided fur-*  
 9 *ther*, That of the prior year balances available in this pro-  
 10 gram, \$46,000,000 shall be available for the direct hiring  
 11 of law enforcement officers through the Universal Hiring  
 12 Program: *Provided further*, That Section 1703(b) and (c)  
 13 of the 1968 Act shall not apply to non-hiring grants made  
 14 pursuant to part Q of title I thereof (42 U.S.C. 3796 d.d.  
 15 et seq.).

#### 16 JUVENILE JUSTICE PROGRAMS

17 For grants, contracts, cooperative agreements, and  
 18 other assistance authorized by the Juvenile Justice and  
 19 Delinquency Prevention Act of 1974, as amended, (“the  
 20 Act”), including salaries and expenses in connection there-  
 21 with to be transferred to and merged with the appropria-  
 22 tions for Justice Assistance, \$320,026,000, to remain  
 23 available until expended, as authorized by section 299 of  
 24 part I of title II and section 506 of title V of the Act,  
 25 as amended by Public Law 102–586, of which: (1) not-  
 26 withstanding any other provision of law, \$6,847,000 shall

1 be available for expenses authorized by part A of title II  
 2 of the Act, \$88,804,000 shall be available for expenses au-  
 3 thorized by part B of title II of the Act, and \$55,691,000  
 4 shall be available for expenses authorized by part C of title  
 5 II of the Act: *Provided*, That \$26,442,000 of the amounts  
 6 provided for part B of title II of the Act, as amended,  
 7 is for the purpose of providing additional formula grants  
 8 under part B to States that provide assurances to the Ad-  
 9 ministrator that the State has in effect (or will have in  
 10 effect no later than 1 year after date of application) poli-  
 11 cies and programs, that ensure that juveniles are subject  
 12 to accountability-based sanctions for every act for which  
 13 they are adjudicated delinquent; (2) \$11,974,000 shall be  
 14 available for expenses authorized by sections 281 and 282  
 15 of part D of title II of the Act for prevention and treat-  
 16 ment programs relating to juvenile gangs; (3) \$9,978,000  
 17 shall be available for expenses authorized by section 285  
 18 of part E of title II of the Act; (4) \$15,965,000 shall be  
 19 available for expenses authorized by part G of title II of  
 20 the Act for juvenile mentoring programs; and (5)  
 21 \$130,767,000 shall be available for expenses authorized  
 22 by title V of the Act for incentive grants for local delin-  
 23 quency prevention programs; of which \$12,472,000 shall  
 24 be for delinquency prevention, control, and system im-  
 25 provement programs for tribal youth; of which

1 \$25,000,000 shall be available for grants of \$360,000 to  
2 each State and \$6,640,000 shall be available for discre-  
3 tionary grants to States, for programs and activities to  
4 enforce State laws prohibiting the sale of alcoholic bev-  
5 erages to minors or the purchase or consumption of alco-  
6 holic beverages by minors, prevention and reduction of  
7 consumption of alcoholic beverages by minors, and for  
8 technical assistance and training; and of which  
9 \$15,000,000 shall be available for the Safe Schools Initia-  
10 tive: *Provided further*, That of amounts made available  
11 under the Juvenile Justice Programs of the Office of Jus-  
12 tice Programs to carry out part B (relating to Federal  
13 Assistance for State and Local Programs), subpart II of  
14 part C (relating to Special Emphasis Prevention and  
15 Treatment Programs), part D (relating to Gang-Free  
16 Schools and Communities and Community-Based Gang  
17 Intervention), part E (relating to State Challenge Activi-  
18 ties), and part G (relating to Mentoring) of title II of the  
19 Juvenile Justice and Delinquency Prevention Act of 1974,  
20 and to carry out the At-Risk Children's Program under  
21 title V of that Act, not more than 10 percent of each such  
22 amount may be used for research, evaluation, and statis-  
23 tics activities designed to benefit the programs or activities  
24 authorized under the appropriate part or title, and not  
25 more than 2 percent of each such amount may be used

1 for training and technical assistance activities designed to  
2 benefit the programs or activities authorized under that  
3 part or title.

4 In addition, for grants, contracts, cooperative agree-  
5 ments, and other assistance authorized by the Victims of  
6 Child Abuse Act of 1990, as amended, \$8,481,000, to re-  
7 main available until expended, as authorized by section  
8 214B of the Act.

9 PUBLIC SAFETY OFFICERS BENEFITS

10 To remain available until expended, for payments au-  
11 thorized by part L of title I of the Omnibus Crime Control  
12 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-  
13 ed, such sums as are necessary, as authorized by section  
14 6093 of Public Law 100–690 (102 Stat. 4339–4340); and  
15 \$2,395,000, to remain available until expended for pay-  
16 ments as authorized by section 1201(b) of said Act.

17 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

18 SEC. 101. In addition to amounts otherwise made  
19 available in this title for official reception and representa-  
20 tion expenses, a total of not to exceed \$45,000 from funds  
21 appropriated to the Department of Justice in this title  
22 shall be available to the Attorney General for official re-  
23 ception and representation expenses in accordance with  
24 distributions, procedures, and regulations established by  
25 the Attorney General.

1        SEC. 102. Section 124 of the Departments of Com-  
2 merce, Justice, and State, the Judiciary, and Related  
3 Agencies Appropriations Act, 1999, as contained in the  
4 Omnibus Consolidated and Emergency Supplemental Ap-  
5 propriations Act, 1999, is repealed.

6        SEC. 103. Notwithstanding any other provision of  
7 law, not to exceed \$10,000,000 of the funds made avail-  
8 able in this Act may be used to establish and publicize  
9 a program under which publicly advertised, extraordinary  
10 rewards may be paid, which shall not be subject to spend-  
11 ing limitations contained in sections 3059 and 3072 of  
12 title 18, United States Code: *Provided*, That any reward  
13 of \$100,000 or more, up to a maximum of \$2,000,000,  
14 may not be made without the personal approval of the  
15 President or the Attorney General and such approval may  
16 not be delegated.

17        SEC. 104. Not to exceed 5 percent of any appropria-  
18 tion made available for the current fiscal year for the De-  
19 partment of Justice in this Act may be transferred be-  
20 tween such appropriations, but no such appropriation, ex-  
21 cept as otherwise specifically provided, shall be increased  
22 by more than 10 percent by any such transfers: *Provided*,  
23 That any transfer pursuant to this section shall be treated  
24 as a reprogramming of funds under section 605 of this

1 Act and shall not be available for obligation except in com-  
 2 pliance with the procedures set forth in that section.

3 SEC. 105. Section 286(q)(1)(A) of the Immigration  
 4 and Nationality Act of 1953, as amended, is further  
 5 amended by striking “6” and inserting “96”.

6 SEC. 106. Notwithstanding any other provision of  
 7 law, \$1,000,000 shall be available for technical assistance  
 8 from the funds appropriated for part G of title II of the  
 9 Juvenile Justice and Delinquency Prevention Act of 1974,  
 10 as amended.

11 SEC. 107. Section 11231 of the National Capital Re-  
 12 vitalization and Self-Government Improvement Act of  
 13 1997, Public Law 105–33, is amended—

14 (1) in the catchline of paragraphs (a)(1) and  
 15 (2), by striking “of Parole Commission”;

16 (2) in subsections (a) and (c), by replacing  
 17 “United States Parole Commission” and “Parole  
 18 Commission”, each place they currently appear, with  
 19 “agency established under section 11233”;

20 (3) in paragraph (a)(1), by replacing “one year  
 21 after date of enactment of this Act” with “Sep-  
 22 tember 30, 2002”, by replacing “Board of Parole of  
 23 the District of Columbia” with “United States Pa-  
 24 role Commission”, by striking “exclusive”, and by

1 replacing all the matter from “felons,” to the period,  
2 inclusive, with “felons.”;

3 (4) by replacing all the matter after the catch-  
4 line of paragraph (a)(2) with “Not later than Sep-  
5 tember 30, 2002, the agency established under sec-  
6 tion 11233 shall assume all powers, duties, and ju-  
7 risdiction transferred to the United States Parole  
8 Commission by this paragraph as in effect on Janu-  
9 ary 1, 2001.”; and

10 (5) in subsection (c), by replacing all the matter  
11 from “Columbia,” to the period, inclusive, with “Co-  
12 lumbia.”.

13 SEC. 108. In instances where the Attorney General  
14 determines that law enforcement-, security-, or mission-  
15 related considerations mitigate against obtaining mainte-  
16 nance or repair services from private sector entities for  
17 equipment under warranty, the Attorney General is au-  
18 thorized to seek reimbursement from such entities for war-  
19 ranty work performed at Department of Justice facilities  
20 and, notwithstanding any other provision of law, to credit  
21 any payment made for such work to any appropriation  
22 charged therefore.

23 SEC. 109. Section 286(e)(1) of the Immigration and  
24 Nationality Act (8 U.S.C. 1356(e)(1)) is amended to read  
25 as follows:

1       “(1)(A) Except as provided in subparagraph (B), the  
2 Attorney General is authorized to charge and collect a fee  
3 in the amount of \$3 for each individual with respect to  
4 whom immigration inspection services or preinspection  
5 services are provided in connection with the arrival in the  
6 United States of the individual as a passenger on a com-  
7 mercial vessel, if the passenger’s journey originated in any  
8 of the following:

9               “(i) Mexico.

10              “(ii) Canada.

11              “(iii) A State, territory, or possession of the  
12 United States.

13              “(iv) Any adjacent island (within the meaning  
14 of section 101(b)(5)).

15       “(B) The authority of subparagraph (A) does not  
16 apply to immigration inspection services or preinspection  
17 services provided at a designated port of entry in connec-  
18 tion with the arrival of a passenger by means of a Great  
19 Lakes international ferry, or by means of any vessel that  
20 transits the Great Lakes or its connecting waterways, if  
21 the ferry or other vessel operates on a regular schedule.”.

22       SEC. 110. Section 245(i) of the Immigration and Na-  
23 tionality Act (8 U.S.C. 1255(i)) is amended—

24              (1) in paragraph (1), by amending the first sen-  
25 tence to read as follows: “Notwithstanding the provi-



1       sions of subsections (a) and (c) of this section, an  
2       alien physically present in the United States who—

3               “(A) entered the United States without in-  
4       spection; or

5               “(B) is within one of the classes enumer-  
6       ated in subsection (c) of this section, may apply  
7       to the Attorney General for the adjustment of  
8       his or her status to that of an alien lawfully ad-  
9       mitted for permanent residence.”; and

10       (2) by amending paragraph (3)(B) to read as  
11      follows:

12       “(B) One-half of any remaining portion of such fees  
13      remitted under such paragraphs shall be deposited by the  
14      Attorney General into the Immigration Examination Fee  
15      Account established under section 286(m), and one-half  
16      of any remaining portion of such fees shall be deposited  
17      by the Attorney General into the Breached Bond/Deten-  
18      tion Fund established under section 286(r).”.

19       SEC. 111. Section 1402(d)(3) of the Victims of Crime  
20      Act of 1984 (42 U.S.C. 10601(d)(3)), is amended by strik-  
21      ing the period at the end and inserting “, and for a Victim  
22      Notification System.”.

23       This title may be cited as the “Department of Justice  
24      Appropriations Act, 2002”.

1 TITLE II—DEPARTMENT OF COMMERCE AND  
2 RELATED AGENCIES

3 TRADE AND INFRASTRUCTURE DEVELOPMENT  
4 RELATED AGENCIES

5 OFFICE OF THE UNITED STATES TRADE  
6 REPRESENTATIVE

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the United  
9 States Trade Representative, including the hire of pas-  
10 senger motor vehicles and employment of experts and con-  
11 sultants as authorized by 5 U.S.C. 3109, \$30,097,000, of  
12 which \$1,000,000 shall remain available until expended:  
13 *Provided*, That not to exceed \$98,000 shall be available  
14 for official reception and representation expenses.

15 INTERNATIONAL TRADE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the International Trade  
18 Commission, including hire of passenger motor vehicles,  
19 and services as authorized by 5 U.S.C. 3109, and not to  
20 exceed \$2,500 for official reception and representation ex-  
21 penses, \$49,386,000, to remain available until expended.

## 1 DEPARTMENT OF COMMERCE

## 2 INTERNATIONAL TRADE ADMINISTRATION

## 3 OPERATIONS AND ADMINISTRATION

4 For necessary expenses for international trade activi-  
5 ties of the Department of Commerce provided for by law,  
6 and engaging in trade promotional activities abroad, in-  
7 cluding expenses of grants and cooperative agreements for  
8 the purpose of promoting exports of United States firms,  
9 without regard to 44 U.S.C. 3702 and 3703; full medical  
10 coverage for dependent members of immediate families of  
11 employees stationed overseas and employees temporarily  
12 posted overseas; travel and transportation of employees of  
13 the United States and Foreign Commercial Service be-  
14 tween two points abroad, without regard to 49 U.S.C.  
15 1517; employment of Americans and aliens by contract for  
16 services; rental of space abroad for periods not exceeding  
17 10 years, and expenses of alteration, repair, or improve-  
18 ment; purchase or construction of temporary demountable  
19 exhibition structures for use abroad; payment of tort  
20 claims, in the manner authorized in the first paragraph  
21 of 28 U.S.C. 2672 when such claims arise in foreign coun-  
22 tries; not to exceed \$327,000 for official representation  
23 expenses abroad; purchase of passenger motor vehicles for  
24 official use abroad, not to exceed \$30,000 per vehicle; ob-  
25 taining insurance on official motor vehicles; and rental of

1 tie lines, \$347,090,000, to remain available until ex-  
 2 pended, of which \$3,000,000 is to be derived from fees  
 3 to be retained and used by the International Trade Admin-  
 4 istration, notwithstanding 31 U.S.C. 3302: *Provided*, That  
 5 \$66,820,000 shall be for Trade Development,  
 6 \$27,441,000 shall be for Market Access and Compliance,  
 7 \$42,859,000 shall be for the Import Administration,  
 8 \$193,824,000 shall be for the United States and Foreign  
 9 Commercial Service, and \$13,146,000 shall be for Execu-  
 10 tive Direction and Administration: *Provided further*, That  
 11 the provisions of the first sentence of section 105(f) and  
 12 all of section 108(c) of the Mutual Educational and Cul-  
 13 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and  
 14 2458(c)) shall apply in carrying out these activities with-  
 15 out regard to section 5412 of the Omnibus Trade and  
 16 Competitiveness Act of 1988 (15 U.S.C. 4912); and that  
 17 for the purpose of this Act, contributions under the provi-  
 18 sions of the Mutual Educational and Cultural Exchange  
 19 Act shall include payment for assessments for services pro-  
 20 vided as part of these activities.

## 21 EXPORT ADMINISTRATION

### 22 OPERATIONS AND ADMINISTRATION

23 For necessary expenses for export administration and  
 24 national security activities of the Department of Com-  
 25 merce, including costs associated with the performance of

1 export administration field activities both domestically and  
2 abroad; full medical coverage for dependent members of  
3 immediate families of employees stationed overseas; em-  
4 ployment of Americans and aliens by contract for services  
5 abroad; payment of tort claims, in the manner authorized  
6 in the first paragraph of 28 U.S.C. 2672 when such claims  
7 arise in foreign countries; not to exceed \$15,000 for offi-  
8 cial representation expenses abroad; awards of compensa-  
9 tion to informers under the Export Administration Act of  
10 1979, and as authorized by 22 U.S.C. 401(b); purchase  
11 of passenger motor vehicles for official use and motor vehi-  
12 cles for law enforcement use with special requirement vehi-  
13 cles eligible for purchase without regard to any price limi-  
14 tation otherwise established by law, \$68,893,000, to re-  
15 main available until expended, of which \$7,250,000 shall  
16 be for inspections and other activities related to national  
17 security: *Provided*, That the provisions of the first sen-  
18 tence of section 105(f) and all of section 108(c) of the  
19 Mutual Educational and Cultural Exchange Act of 1961  
20 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying  
21 out these activities: *Provided further*, That payments and  
22 contributions collected and accepted for materials or serv-  
23 ices provided as part of such activities may be retained  
24 for use in covering the cost of such activities, and for pro-  
25 viding information to the public with respect to the export

1 administration and national security activities of the De-  
 2 partment of Commerce and other export control programs  
 3 of the United States and other governments.

#### 4 ECONOMIC DEVELOPMENT ADMINISTRATION

##### 5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as  
 7 provided by the Public Works and Economic Development  
 8 Act of 1965, as amended, and for trade adjustment assist-  
 9 ance, \$341,000,000, to remain available until expended.

##### 10 SALARIES AND EXPENSES

11 For necessary expenses of administering the eco-  
 12 nomic development assistance programs as provided for by  
 13 law, \$30,557,000: *Provided*, That these funds may be used  
 14 to monitor projects approved pursuant to title I of the  
 15 Public Works Employment Act of 1976, as amended, title  
 16 II of the Trade Act of 1974, as amended, and the Commu-  
 17 nity Emergency Drought Relief Act of 1977.

#### 18 MINORITY BUSINESS DEVELOPMENT AGENCY

##### 19 MINORITY BUSINESS DEVELOPMENT

20 For necessary expenses of the Department of Com-  
 21 merce in fostering, promoting, and developing minority  
 22 business enterprise, including expenses of grants, con-  
 23 tracts, and other agreements with public or private organi-  
 24 zations, \$28,381,000.

## 1 ECONOMIC AND INFORMATION INFRASTRUCTURE

## 2 ECONOMIC AND STATISTICAL ANALYSIS

## 3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, of eco-  
5 nomic and statistical analysis programs of the Department  
6 of Commerce, \$62,515,000, to remain available until Sep-  
7 tember 30, 2003.

## 8 BUREAU OF THE CENSUS

## 9 SALARIES AND EXPENSES

10 For expenses necessary for collecting, compiling, ana-  
11 lyzing, preparing, and publishing statistics, provided for  
12 by law, \$168,561,000.

## 13 PERIODIC CENSUSES AND PROGRAMS

14 For necessary expenses to collect and publish statis-  
15 tics for periodic censuses and programs provided for by  
16 law, \$348,529,000, to remain available until expended.

## 17 NATIONAL TELECOMMUNICATIONS AND INFORMATION

## 18 ADMINISTRATION

## 19 SALARIES AND EXPENSES

20 For necessary expenses, as provided for by law, of  
21 the National Telecommunications and Information Ad-  
22 ministration (NTIA), \$14,054,000, to remain available  
23 until expended: *Provided*, That, notwithstanding 31  
24 U.S.C. 1535(d), the Secretary of Commerce shall charge  
25 Federal agencies for costs incurred in spectrum manage-  
26 ment, analysis, and operations, and related services and

1 such fees shall be retained and used as offsetting collec-  
 2 tions for costs of such spectrum services, to remain avail-  
 3 able until expended: *Provided further*, That the Secretary  
 4 of Commerce is authorized to retain and use as offsetting  
 5 collections all funds transferred, or previously transferred,  
 6 from other Government agencies for all costs incurred in  
 7 telecommunications research, engineering, and related ac-  
 8 tivities by the Institute for Telecommunication Sciences  
 9 of NTIA, in furtherance of its assigned functions under  
 10 this paragraph, and such funds received from other Gov-  
 11 ernment agencies shall remain available until expended.

12 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING  
 13 AND CONSTRUCTION

14 For grants authorized by section 392 of the Commu-  
 15 nications Act of 1934, as amended, \$43,466,000, to re-  
 16 main available until expended as authorized by section 391  
 17 of the Act, as amended: *Provided*, That not to exceed  
 18 \$2,358,000 shall be available for program administration  
 19 as authorized by section 391 of the Act: *Provided further*,  
 20 That notwithstanding the provisions of section 391 of the  
 21 Act, the prior year unobligated balances may be made  
 22 available for grants for projects for which applications  
 23 have been submitted and approved during any fiscal year.

24 INFORMATION INFRASTRUCTURE GRANTS

25 For grants authorized by section 392 of the Commu-  
 26 nications Act of 1934, as amended, \$15,503,000, to re-



1 main available until expended as authorized by section 391  
2 of the Act, as amended: *Provided*, That not to exceed  
3 \$3,097,000 shall be available for program administration  
4 and other support activities as authorized by section 391:  
5 *Provided further*, That, of the funds appropriated herein,  
6 not to exceed 5 percent may be available for telecommuni-  
7 cations research activities for projects related directly to  
8 the development of a national information infrastructure:  
9 *Provided further*, That, notwithstanding the requirements  
10 of sections 392(a) and 392(c) of the Act, these funds may  
11 be used for the planning and construction of telecommuni-  
12 cations networks for the provision of educational, cultural,  
13 health care, public information, public safety, or other so-  
14 cial services: *Provided further*, That notwithstanding any  
15 other provision of law, no entity that receives tele-  
16 communications services at preferential rates under sec-  
17 tion 254(h) of the Act (47 U.S.C. 254(h)) or receives as-  
18 sistance under the regional information sharing systems  
19 grant program of the Department of Justice under part  
20 M of title I of the Omnibus Crime Control and Safe  
21 Streets Act of 1968 (42 U.S.C. 3796h) may use funds  
22 under a grant under this heading to cover any costs of  
23 the entity that would otherwise be covered by such pref-  
24 erential rates or such assistance, as the case may be.

## PATENT AND TRADEMARK OFFICE

## SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$856,701,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2002, so as to result in fiscal year 2002 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2002, should the total amount of offsetting fee collections be less than \$856,701,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: *Provided further*, That an additional amount not to exceed \$282,300,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2002, to remain available until expended: *Provided further*, That from amounts provided herein, not to exceed \$5,000 shall

1 be made available in fiscal year 2002 for official reception  
 2 and representation expenses.

3 SCIENCE AND TECHNOLOGY

4 TECHNOLOGY ADMINISTRATION

5 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

6 TECHNOLOGY POLICY

7 SALARIES AND EXPENSES

8 For necessary expenses for the Under Secretary for  
 9 Technology/Office of Technology Policy, \$8,238,000.

10 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

11 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

12 For necessary expenses of the National Institute of  
 13 Standards and Technology, \$343,296,000, to remain  
 14 available until expended, of which not to exceed \$282,000  
 15 may be transferred to the “Working Capital Fund”.

16 INDUSTRIAL TECHNOLOGY SERVICES

17 For necessary expenses of the Manufacturing Exten-  
 18 sion Partnership of the National Institute of Standards  
 19 and Technology, \$105,137,000, to remain available until  
 20 expended: *Provided*, That the Secretary of Commerce is  
 21 authorized to enter into agreements with one or more non-  
 22 profit organizations for the purpose of carrying out collec-  
 23 tive research and development initiatives pertaining to 15  
 24 U.S.C. 278k paragraph (a), and is authorized to seek and  
 25 accept contributions from public and private sources to  
 26 support these efforts as necessary.

1        In addition, for necessary expenses of the Advanced  
 2        Technology Program of the National Institute of Stand-  
 3        ards and Technology, \$204,200,000, to remain available  
 4        until expended, of which not to exceed \$60,700,000 shall  
 5        be available for the award of new grants.

6                    CONSTRUCTION OF RESEARCH FACILITIES

7        For construction of new research facilities, including  
 8        architectural and engineering design, and for renovation  
 9        of existing facilities, not otherwise provided for the Na-  
 10       tional Institute of Standards and Technology, as author-  
 11       ized by 15 U.S.C. 278c-278e, \$43,893,000, to remain  
 12       available until expended.

13                   NATIONAL OCEANIC AND ATMOSPHERIC

14                                    ADMINISTRATION

15                   OPERATIONS, RESEARCH, AND FACILITIES

16                                    (INCLUDING TRANSFERS OF FUNDS)

17        For necessary expenses of activities authorized by law  
 18        for the National Oceanic and Atmospheric Administration,  
 19        including maintenance, operation, and hire of aircraft;  
 20        grants, contracts, or other payments to nonprofit organi-  
 21        zations for the purposes of conducting activities pursuant  
 22        to cooperative agreements; and relocation of facilities as  
 23        authorized by 33 U.S.C. 883i, \$2,267,705,000, to remain  
 24        available until expended: *Provided*, That fees and dona-  
 25        tions received by the National Ocean Service for the man-

1 agement of the national marine sanctuaries may be re-  
 2 tained and used for the salaries and expenses associated  
 3 with those activities, notwithstanding 31 U.S.C. 3302:  
 4 *Provided further*, That in addition, \$68,000,000 shall be  
 5 derived by transfer from the fund entitled “Promote and  
 6 Develop Fishery Products and Research Pertaining to  
 7 American Fisheries”: *Provided further*, That in addition,  
 8 not to exceed \$3,000,000 shall be derived by transfer from  
 9 the fund entitled “Coastal Zone Management”: *Provided*  
 10 *further*, That of the amounts made available to the Na-  
 11 tional Marine Fisheries Service, not less than \$29,000,000  
 12 shall be for Alaskan Steller sea lion research: *Provided fur-*  
 13 *ther*, That grants to States pursuant to sections 306 and  
 14 306A of the Coastal Zone Management Act of 1972, as  
 15 amended, shall not exceed \$2,000,000: *Provided further*,  
 16 That of the amount provided under this heading, for ex-  
 17 penses necessary to carry out “NOAA Operations, Re-  
 18 search and Facilities sub-category” in section  
 19 250(c)(4)(E) of the Balanced Budget and Emergency Def-  
 20 icit Control Act of 1985, as amended, \$33,650,000 to re-  
 21 main available until expended, for the purposes of discre-  
 22 tionary spending limits: *Provided further*, That not to ex-  
 23 ceed \$54,255,000 shall be expended for Executive Direc-  
 24 tion and Administration, which consists of the Offices of  
 25 the Undersecretary, the Executive Secretariat, Policy and

1 Strategic Planning, International Affairs, Legislative Af-  
2 fairs, Public Affairs, Sustainable Development, the Chief  
3 Scientist, and the General Counsel: *Provided further*, That  
4 the aforementioned offices, excluding the Office of the  
5 General Counsel, shall not be augmented by personnel de-  
6 tails, temporary transfers of personnel on either a reim-  
7 bursable or nonreimbursable basis or any other type of  
8 formal or informal transfer or reimbursement of personnel  
9 or funds on either a temporary or long-term basis above  
10 the level of 42 personnel: *Provided further*, That of the  
11 amount provided to the National Marine Fisheries Service,  
12 a total of \$6,000,000 shall be provided to the National  
13 Oceanic and Atmospheric Administration Office of Gen-  
14 eral Counsel: *Provided further*, That the National Marine  
15 Fisheries Service shall be obligated for payment of all fish-  
16 eries-related reimbursable work performed by the National  
17 Oceanic and Atmospheric Administration Office of Gen-  
18 eral Counsel: *Provided further*, That the Secretary may  
19 proceed as he deems necessary to have the National Oce-  
20 anic and Atmospheric Administration occupy and operate  
21 its research facilities which are located at Lafayette, Lou-  
22 isiana: *Provided further*, That the R/V FAIRWEATHER  
23 shall be homeported in Ketchikan, Alaska: *Provided fur-*  
24 *ther*, That no general administrative charge shall be ap-  
25 plied against an assigned activity included in this Act and,

1 further, that any direct administrative expenses applied  
2 against an assigned activity shall be limited to 5 percent  
3 of the funds provided for that assigned activity: *Provided*  
4 *further*, That any use of deobligated balances of funds pro-  
5 vided under this heading in previous years shall be subject  
6 to the procedures set forth in section 605 of this Act.

7       In addition, for necessary retired pay expenses under  
8 the Retired Serviceman's Family Protection and Survivor  
9 Benefits Plan, and for payments for medical care of re-  
10 tired personnel and their dependents under the Depend-  
11 ents Medical Care Act (10 U.S.C. ch. 55), such sums as  
12 may be necessary.

13       In addition, there is hereby established the Business  
14 Management Fund of the National Oceanic and Atmos-  
15 pheric Administration, which shall be available without fis-  
16 cal year limitation for expense and equipment necessary  
17 for the maintenance and operations of such services and  
18 projects as the Administrator of the National Oceanic and  
19 Atmospheric Administration determines may be performed  
20 more advantageously when centralized: *Provided*, That  
21 such central services shall, to the fullest extent practicable,  
22 be used to make unnecessary the maintenance of separate  
23 like services in the divisions and offices of the National  
24 Oceanic and Atmospheric Administration: *Provided fur-*  
25 *ther*, That a separate schedule of expenditures and reim-

1 bursements, and a statement of the current assets and li-  
2 abilities of the Business Management Fund as of the close  
3 of the completed fiscal year, shall be prepared each year  
4 and submitted to Congress: *Provided further*, That not-  
5 withstanding 31 U.S.C. 3302, the Business Management  
6 Fund may be credited with advances and reimbursements  
7 from applicable appropriations of the National Oceanic  
8 and Atmospheric Administration and from funds of other  
9 agencies or entities for services furnished pursuant to law:  
10 *Provided further*, That any inventories, equipment, sys-  
11 tems, real property and other assets over \$25,000, per-  
12 taining to the services to be provided by such funds, either  
13 on hand or on order, less the related liabilities or unpaid  
14 obligations, and any appropriations made hereafter for the  
15 purpose of providing capital, shall be used to capitalize  
16 the Business Management Fund: *Provided further*, That  
17 the National Oceanic and Atmospheric Administration  
18 Business Management Fund shall be authorized to create  
19 an initial cash corpus of \$5,000,000 from deobligations  
20 and continued funding as may be or become available from  
21 deobligations: *Provided further*, That the Business Man-  
22 agement Fund shall provide for centralized services at  
23 rates which return in full all expenses of operation and  
24 services, including depreciation or full overhead costs of  
25 fund plant and equipment, plus an amount equal to pro-



1 jected inflation, amortization of automated data proc-  
 2 essing software and hardware systems, and an amount not  
 3 to exceed four percent necessary to maintain an operating  
 4 level in the fund as determined by the Administrator: *Pro-*  
 5 *vided further*, That full implementation of the Business  
 6 Management Fund will be phased in over a period not less  
 7 than three years nor more than five fiscal years.

8       There is hereby established the following organiza-  
 9 tional structure for the Business Management Fund of the  
 10 National Oceanic and Atmospheric Administration: *Pro-*  
 11 *vided*, That the overall responsibility for the National Oee-  
 12 anic and Atmospheric Administration Business Manage-  
 13 ment Fund lies with the Administrator of the National  
 14 Oceanic and Atmospheric Administration: *Provided fur-*  
 15 *ther*, That general management of the National Oceanic  
 16 and Atmospheric Administration's Business Management  
 17 Fund may be delegated by the Administrator to the Chief  
 18 Financial Officer/Chief Administrative Officer of the Na-  
 19 tional Oceanic and Atmospheric Administration.

20       PROCUREMENT, ACQUISITION AND CONSTRUCTION

21               (INCLUDING TRANSFERS OF FUNDS)

22       For procurement, acquisition and construction of  
 23 capital assets, including alteration and modification costs,  
 24 of the National Oceanic and Atmospheric Administration,  
 25 \$939,610,000, to remain available until expended: *Pro-*  
 26 *vided*, That unexpended balances of amounts previously

1 made available in the “Operations, Research, and Facili-  
2 ties” account for activities funded under this heading may  
3 be transferred to and merged with this account, to remain  
4 available until expended for the purposes for which the  
5 funds were originally appropriated: *Provided further*, That  
6 of the amount provided under this heading for expenses  
7 necessary to carry out the “NOAA Procurement, Acquisi-  
8 tion, and Construction sub-category” in section  
9 250(c)(4)(E) of the Balanced Budget and Emergency Def-  
10 icit Control Act of 1985, as amended, the Coastal and Es-  
11 tuarine Land Conservation Program, \$83,410,000 to re-  
12 main available until expended, and to be for conservation  
13 spending category activities pursuant to Section 251(c) of  
14 the Balanced Budget and Emergency Deficit Control Act  
15 of 1985, as amended, for the purposes of discretionary  
16 spending limits: *Provided further*, That of the above  
17 amounts, \$60,000,000 shall be for the “Coastal and Estu-  
18 arine Land Conservation Program”: *Provided further*,  
19 That none of the funds provided in this Act or any other  
20 Act under the heading “National Oceanic and Atmos-  
21 pheric Administration, Procurement, Acquisition and Con-  
22 struction” shall be used to fund the General Services Ad-  
23 ministration’s standard construction and tenant build-out  
24 costs of a facility at the Suitland Federal Center.

## 1 PACIFIC COASTAL SALMON RECOVERY

2 For necessary expenses to carry out the “NOAA Pa-  
3 cific Coastal Salmon Recovery sub-category” in section  
4 250(c)(4)(E) of the Balanced Budget and Emergency Def-  
5 icit Control Act of 1985, as amended, the Endangered  
6 Species Act-Pacific Salmon Recovery, the Columbia River  
7 Hatcheries, the Columbia River Facilities, Pacific Salmon  
8 Treaty Implementation, \$133,940,000, to remain avail-  
9 able until expended, and to be for conservation spending  
10 category activities pursuant to Section 251(c) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of 1985,  
12 as amended, for the purposes of discretionary spending  
13 limits.

## 14 COASTAL ZONE MANAGEMENT FUND

15 Of amounts collected pursuant to section 308 of the  
16 Coastal Zone Management Act of 1972 (16 U.S.C.  
17 1456a), not to exceed \$3,000,000 shall be transferred to  
18 the Operations, Research, and Facilities account to offset  
19 the costs of implementing such Act.

## 20 FISHERMEN’S CONTINGENCY FUND

21 For carrying out the provisions of title IV of Public  
22 Law 95–372, not to exceed \$952,000, to be derived from  
23 receipts collected pursuant to that Act, to remain available  
24 until expended.

1 FOREIGN FISHING OBSERVER FUND

2 For expenses necessary to carry out the provisions  
 3 of the Atlantic Tunas Convention Act of 1975, as amend-  
 4 ed (Public Law 96–339), the Magnuson-Stevens Fishery  
 5 Conservation and Management Act of 1976, as amended  
 6 (Public Law 100–627), and the American Fisheries Pro-  
 7 motion Act (Public Law 96–561), to be derived from the  
 8 fees imposed under the foreign fishery observer program  
 9 authorized by these Acts, not to exceed \$191,000, to re-  
 10 main available until expended.

11 FISHERIES FINANCE PROGRAM ACCOUNT

12 For the cost of direct loans, \$287,000, as authorized  
 13 by the Merchant Marine Act of 1936, as amended: *Pro-*  
 14 *vided*, That such costs, including the cost of modifying  
 15 such loans, shall be as defined in section 502 of the Con-  
 16 gressional Budget Act of 1974: *Provided further*, That  
 17 none of the funds made available under this heading may  
 18 be used for direct loans for any new fishing vessel that  
 19 will increase the harvesting capacity in any United States  
 20 fishery.

21 DEPARTMENTAL MANAGEMENT

22 SALARIES AND EXPENSES

23 For expenses necessary for the departmental manage-  
 24 ment of the Department of Commerce provided for by law,  
 25 including not to exceed \$8,000 for official entertainment,  
 26 \$42,062,000.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, as amended (5 U.S.C. App. 1–11,  
5 as amended by Public Law 100–504), \$21,176,000.

## 6 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

7 SEC. 201. During the current fiscal year, applicable  
8 appropriations and funds made available to the Depart-  
9 ment of Commerce by this Act shall be available for the  
10 activities specified in the Act of October 26, 1949 (15  
11 U.S.C. 1514), to the extent and in the manner prescribed  
12 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
13 be used for advanced payments not otherwise authorized  
14 only upon the certification of officials designated by the  
15 Secretary of Commerce that such payments are in the  
16 public interest.

17 SEC. 202. During the current fiscal year, appropria-  
18 tions made available to the Department of Commerce by  
19 this Act for salaries and expenses shall be available for  
20 hire of passenger motor vehicles as authorized by 31  
21 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
22 3109; and uniforms or allowances therefore, as authorized  
23 by law (5 U.S.C. 5901–5902).

24 SEC. 203. None of the funds made available by this  
25 Act may be used to support the hurricane reconnaissance

1 aircraft and activities that are under the control of the  
2 United States Air Force or the United States Air Force  
3 Reserve.

4       SEC. 204. Not to exceed 5 percent of any appropria-  
5 tion made available for the current fiscal year for the De-  
6 partment of Commerce in this Act may be transferred be-  
7 tween such appropriations, but no such appropriation shall  
8 be increased by more than 10 percent by any such trans-  
9 fers: *Provided*, That any transfer pursuant to this section  
10 shall be treated as a reprogramming of funds under sec-  
11 tion 605 of this Act and shall not be available for obliga-  
12 tion or expenditure except in compliance with the proce-  
13 dures set forth in that section.

14       SEC. 205. Any costs incurred by a department or  
15 agency funded under this title resulting from personnel  
16 actions taken in response to funding reductions included  
17 in this title or from actions taken for the care and protec-  
18 tion of loan collateral or grant property shall be absorbed  
19 within the total budgetary resources available to such de-  
20 partment or agency: *Provided*, That the authority to trans-  
21 fer funds between appropriations accounts as may be nec-  
22 essary to carry out this section is provided in addition to  
23 authorities included elsewhere in this Act: *Provided fur-*  
24 *ther*, That use of funds to carry out this section shall be  
25 treated as a reprogramming of funds under section 605

1 of this Act and shall not be available for obligation or ex-  
2 penditure except in compliance with the procedures set  
3 forth in that section.

4 SEC. 206. The Secretary of Commerce may award  
5 contracts for hydrographic, geodetic, and photo-  
6 grammetric surveying and mapping services in accordance  
7 with title IX of the Federal Property and Administrative  
8 Services Act of 1949 (40 U.S.C. 541 et seq.).

9 SEC. 207. The Secretary of Commerce may use the  
10 Commerce franchise fund for expenses and equipment nec-  
11 essary for the maintenance and operation of such adminis-  
12 trative services as the Secretary determines may be per-  
13 formed more advantageously as central services, pursuant  
14 to section 403 of Public Law 103–356: *Provided*, That any  
15 inventories, equipment, and other assets pertaining to the  
16 services to be provided by such fund, either on hand or  
17 on order, less the related liabilities or unpaid obligations,  
18 and any appropriations made for the purpose of providing  
19 capital shall be used to capitalize such fund: *Provided fur-*  
20 *ther*, That such fund shall be paid in advance from funds  
21 available to the Department and other Federal agencies  
22 for which such centralized services are performed, at rates  
23 which will return in full all expenses of operation, includ-  
24 ing accrued leave, depreciation of fund plant and equip-  
25 ment, amortization of automated data processing (ADP)

1 software and systems (either acquired or donated), and  
2 an amount necessary to maintain a reasonable operating  
3 reserve, as determined by the Secretary: *Provided further*,  
4 That such fund shall provide services on a competitive  
5 basis: *Provided further*, That an amount not to exceed 4  
6 percent of the total annual income to such fund may be  
7 retained in the fund for fiscal year 2002 and each fiscal  
8 year thereafter, to remain available until expended, to be  
9 used for the acquisition of capital equipment, and for the  
10 improvement and implementation of department financial  
11 management, ADP, and other support systems: *Provided*  
12 *further*, That such amounts retained in the fund for fiscal  
13 year 2002 and each fiscal year thereafter shall be available  
14 for obligation and expenditure only in accordance with sec-  
15 tion 605 of this Act: *Provided further*, That no later than  
16 30 days after the end of each fiscal year, amounts in ex-  
17 cess of this reserve limitation shall be deposited as mis-  
18 cellaneous receipts in the Treasury: *Provided further*, That  
19 such franchise fund pilot program shall terminate pursu-  
20 ant to section 403(f) of Public Law 103–356.

21 SEC. 208. Notwithstanding any other provision of  
22 law, of the amounts made available elsewhere in this title  
23 to the “National Institute of Standards and Technology,  
24 Construction of Research Facilities”, \$5,000,000 is appro-  
25 priated to fund a cooperative agreement with the Medical



1 University of South Carolina, \$6,000,000 is appropriated  
2 to the Thayer School of Engineering for the  
3 nanocrystalline materials and biomass research initiative,  
4 \$3,000,000 is appropriated to the Institute for Informa-  
5 tion Infrastructure Protection at the Institute for Security  
6 Technology Studies, and \$4,000,000 is appropriated for  
7 the Institute for Politics.

8 SEC. 209. (a) Notwithstanding any other provision  
9 of law, the total amount of funds that may be transferred  
10 into the “Working Capital Fund” in fiscal year 2002, or  
11 in any fiscal year thereafter, may not exceed  
12 \$117,000,000.

13 (b) All transfers of funds to or from the Working  
14 Capital Fund in fiscal year 2002 and any fiscal year there-  
15 after shall be subject to section 605, without regard to  
16 the amount of the reprogramming or the purpose of the  
17 funds so reprogrammed.

18 (c) Of the amounts available under this section for  
19 salaries of the staff of the Department of Commerce, the  
20 amount obligated for that purpose before December 15,  
21 2001, may not exceed \$29,250,000.

22 (d)(1) Not later than December 15, 2001, the Sec-  
23 retary of Commerce shall submit to the Committees on  
24 Appropriations of the Senate and House of Representa-

1 tives a report setting forth the proposed disbursements  
2 from the Working Capital Fund during fiscal year 2002.

3 (2) Of the proposed disbursements in the report  
4 under paragraph (1)—

5 (A) not more than \$40,000,000 of the proposed  
6 disbursements may be for the Commerce Adminis-  
7 trative Management System; and

8 (B) not more than \$15,000,000 of the proposed  
9 disbursements for that System may be from or at-  
10 tributable to the National Oceanic and Atmospheric  
11 Administration.

12 (3) Disbursements from the Working Capital Fund  
13 in fiscal year 2002 may not be made until 15 days after  
14 the date on which the report is submitted under paragraph  
15 (1).

16 (4) Any modification of a proposed disbursement  
17 from the Working Capital Fund previously specified in the  
18 report under paragraph (1) shall be treated as a re-  
19 programming of funds to which section 605 applies, with-  
20 out regard to the amount of the modification or the pur-  
21 pose of the disbursement, as so modified.

22 (5)(A) If a disbursement from the Working Capital  
23 Fund in fiscal year 2002 will require any bureau or orga-  
24 nization in the Department of Commerce to incur costs  
25 not previously specified in the report under paragraph (1),

1 the disbursement may not be made until 15 days after  
 2 the date on which such bureau or organization submits  
 3 to the Committees on Appropriations of the Senate and  
 4 House of Representatives a Memorandum of Agreement  
 5 providing for such bureau or organization to incur such  
 6 costs.

7 (B) Each Memorandum of Agreement under this  
 8 paragraph shall specify the provision of statute providing  
 9 authority for the disbursement concerned.

10 (e) Amounts in the “Advances and Reimbursements”  
 11 account may not be used to assess or collect costs or  
 12 charges against or from any bureau or organization of the  
 13 Department of Commerce unless the costs or charges are  
 14 incurred for a project has been approved as a request for  
 15 reprogramming under section 605.

16 This title may be cited as the “Department of Com-  
 17 merce and Related Agencies Appropriations Act, 2002”.

## 18 TITLE III—THE JUDICIARY

### 19 SUPREME COURT OF THE UNITED STATES

#### 20 SALARIES AND EXPENSES

21 For expenses necessary for the operation of the Su-  
 22 preme Court, as required by law, excluding care of the  
 23 building and grounds, including purchase or hire, driving,  
 24 maintenance, and operation of an automobile for the Chief  
 25 Justice, not to exceed \$10,000 for the purpose of trans-

1 porting Associate Justices, and hire of passenger motor  
 2 vehicles as authorized by 31 U.S.C. 1343 and 1344; not  
 3 to exceed \$10,000 for official reception and representation  
 4 expenses; and for miscellaneous expenses, to be expended  
 5 as the Chief Justice may approve, \$39,988,000.

6 CARE OF THE BUILDING AND GROUNDS

7 For such expenditures as may be necessary to enable  
 8 the Architect of the Capitol to carry out the duties im-  
 9 posed upon the Architect by the Act approved May 7,  
 10 1934 (40 U.S.C. 13a–13b), \$7,530,000, of which  
 11 \$4,460,000 shall remain available until expended.

12 UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
 13 CIRCUIT

14 SALARIES AND EXPENSES

15 For salaries of the chief judge, judges, and other offi-  
 16 cers and employees, and for necessary expenses of the  
 17 court, as authorized by law, \$19,372,000.

18 UNITED STATES COURT OF INTERNATIONAL TRADE

19 SALARIES AND EXPENSES

20 For salaries of the chief judge and eight judges, sala-  
 21 ries of the officers and employees of the court, services  
 22 as authorized by 5 U.S.C. 3109, and necessary expenses  
 23 of the court, as authorized by law, \$13,054,000.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not

1 to exceed \$2,692,000, to be appropriated from the Vaccine  
2 Injury Compensation Trust Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Public Defender and  
5 Community Defender organizations; the compensation and  
6 reimbursement of expenses of attorneys appointed to rep-  
7 resent persons under the Criminal Justice Act of 1964,  
8 as amended; the compensation and reimbursement of ex-  
9 penses of persons furnishing investigative, expert and  
10 other services under the Criminal Justice Act of 1964 (18  
11 U.S.C. 3006A(e)); the compensation (in accordance with  
12 Criminal Justice Act maximums) and reimbursement of  
13 expenses of attorneys appointed to assist the court in  
14 criminal cases where the defendant has waived representa-  
15 tion by counsel; the compensation and reimbursement of  
16 travel expenses of guardians ad litem acting on behalf of  
17 financially eligible minor or incompetent offenders in con-  
18 nection with transfers from the United States to foreign  
19 countries with which the United States has a treaty for  
20 the execution of penal sentences; and the compensation of  
21 attorneys appointed to represent jurors in civil actions for  
22 the protection of their employment, as authorized by 28  
23 U.S.C. 1875(d), \$463,756,000, of which \$257,710,000 is  
24 for federal defender organizations, to remain available  
25 until expended.

## 1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28  
3 U.S.C. 1871 and 1876; compensation of jury commis-  
4 sioners as authorized by 28 U.S.C. 1863; and compensa-  
5 tion of commissioners appointed in condemnation cases  
6 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-  
7 cedure (28 U.S.C. Appendix Rule 71A(h)), \$50,131,000,  
8 to remain available until expended: *Provided*, That the  
9 compensation of land commissioners shall not exceed the  
10 daily equivalent of the highest rate payable under section  
11 5332 of title 5, United States Code.

## 12 COURT SECURITY

13 For necessary expenses, not otherwise provided for,  
14 incident to the procurement, installation, and maintenance  
15 of security equipment and protective services for the  
16 United States Courts in courtrooms and adjacent areas,  
17 including building ingress-egress control, inspection of  
18 mail and packages, directed security patrols, and other  
19 similar activities as authorized by section 1010 of the Ju-  
20 dicial Improvement and Access to Justice Act (Public Law  
21 100–702), \$209,762,000, of which not to exceed  
22 \$10,000,000 shall remain available until expended for se-  
23 curity systems and contract costs for court security offi-  
24 cers, to be expended directly or transferred to the United  
25 States Marshals Service, which shall be responsible for ad-

1 ministering the Judicial Facility Security Program con-  
 2 sistent with standards or guidelines agreed to by the Di-  
 3 rector of the Administrative Office of the United States  
 4 Courts and the Attorney General: *Provided*, That, of the  
 5 amount made available under this heading, \$3,580,000,  
 6 to remain available until expended, shall be transferred to,  
 7 and merged with, funds in the “Narrowband Communica-  
 8 tions” appropriations account in title I of this Act, to be  
 9 administered by the Department of Justice Wireless Man-  
 10 agement Office and to be available only for the conversion  
 11 to narrowband communications and for the operations and  
 12 maintenance of legacy radio systems.

13 ADMINISTRATIVE OFFICE OF THE UNITED STATES

14 COURTS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Administrative Office  
 17 of the United States Courts as authorized by law, includ-  
 18 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-  
 19 senger motor vehicle as authorized by 31 U.S.C. 1343(b),  
 20 advertising and rent in the District of Columbia and else-  
 21 where, \$58,212,000, of which \$3,000,000 shall only be  
 22 available, by grant, for caption training, and of which not  
 23 to exceed \$8,500 is authorized for official reception and  
 24 representation expenses.



## 1 FEDERAL JUDICIAL CENTER

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-  
4 ter, as authorized by Public Law 90–219, \$19,742,000;  
5 of which \$1,800,000 shall remain available through Sep-  
6 tember 30, 2003, to provide education and training to  
7 Federal court personnel; and of which not to exceed  
8 \$1,000 is authorized for official reception and representa-  
9 tion expenses.

## 10 JUDICIAL RETIREMENT FUNDS

## 11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement  
13 Fund, as authorized by 28 U.S.C. 377(o), \$26,700,000;  
14 to the Judicial Survivors' Annuities Fund, as authorized  
15 by 28 U.S.C. 376(c), \$8,400,000; and to the United  
16 States Court of Federal Claims Judges' Retirement Fund,  
17 as authorized by 28 U.S.C. 178(l), \$1,900,000.

## 18 UNITED STATES SENTENCING COMMISSION

## 19 SALARIES AND EXPENSES

20 For the salaries and expenses necessary to carry out  
21 the provisions of chapter 58 of title 28, United States  
22 Code, \$11,327,000, of which not to exceed \$1,000 is au-  
23 thorized for official reception and representation expenses.

## 1           GENERAL PROVISIONS—THE JUDICIARY

2           SEC. 301. Appropriations and authorizations made in  
3 this title which are available for salaries and expenses shall  
4 be available for services as authorized by 5 U.S.C. 3109.

5           SEC. 302. Not to exceed 5 percent of any appropria-  
6 tion made available for the current fiscal year for the Judi-  
7 ciary in this Act may be transferred between such appro-  
8 priations, but no such appropriation, except “Courts of  
9 Appeals, District Courts, and Other Judicial Services, De-  
10 fender Services” and “Courts of Appeals, District Courts,  
11 and Other Judicial Services, Fees of Jurors and Commis-  
12 sioners”, shall be increased by more than 10 percent by  
13 any such transfers: *Provided*, That any transfer pursuant  
14 to this section shall be treated as a reprogramming of  
15 funds under section 605 of this Act and shall not be avail-  
16 able for obligation or expenditure except in compliance  
17 with the procedures set forth in that section.

18          SEC. 303. Notwithstanding any other provision of  
19 law, the salaries and expenses appropriation for district  
20 courts, courts of appeals, and other judicial services shall  
21 be available for official reception and representation ex-  
22 penses of the Judicial Conference of the United States:  
23 *Provided*, That such available funds shall not exceed  
24 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the  
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 140 of Public Law 97–92 (28  
4 U.S.C. 461 note; 95 Stat. 1200) shall apply to fiscal year  
5 2002 and each fiscal year thereafter.

6 SEC. 305. Of the unexpended balances transferred to  
7 the Commission on Structural Alternatives in Federal Ap-  
8 pellate Courts, \$400,000 shall be transferred to, and  
9 merged with, funds in the “Federal Judicial Center, Sala-  
10 ries and Expenses” appropriations account to be available  
11 only for distance learning.

12 This title may be cited as this “Judiciary Appropria-  
13 tions Act, 2002”.

14 TITLE IV—DEPARTMENT OF STATE AND  
15 RELATED AGENCY

16 DEPARTMENT OF STATE

17 ADMINISTRATION OF FOREIGN AFFAIRS

18 DIPLOMATIC AND CONSULAR PROGRAMS

19 For necessary expenses of the Department of State  
20 and the Foreign Service not otherwise provided for, includ-  
21 ing employment, without regard to civil service and classi-  
22 fication laws, of persons on a temporary basis (not to ex-  
23 ceed \$700,000 of this appropriation), as authorized; rep-  
24 resentation to certain international organizations in which  
25 the United States participates pursuant to treaties, rati-

1 fied pursuant to the advice and consent of the Senate, or  
2 specific Acts of Congress; arms control, nonproliferation  
3 and disarmament activities as authorized; acquisition by  
4 exchange or purchase of passenger motor vehicles as au-  
5 thorized by law; and for expenses of general administra-  
6 tion, \$3,088,990,000: *Provided*, That, of the amount made  
7 available under this heading, not to exceed \$4,000,000  
8 may be transferred to, and merged with, funds in the  
9 “Emergencies in the Diplomatic and Consular Service”  
10 appropriations account, to be available only for emergency  
11 evacuations and terrorism rewards: *Provided further*, That  
12 of the amount made available under this heading,  
13 \$7,800,000 shall be available only to provide language, se-  
14 curity, leadership and management, and professional  
15 training: *Provided further*, That of the amount made avail-  
16 able under this heading, \$6,000,000 to remain available  
17 until expended, shall be transferred to, and merged with,  
18 funds in the “Narrowband Communications” appropria-  
19 tions account in title I of this Act, to be administered by  
20 the Department of Justice Wireless Management Office  
21 and to be available only for the conversion to narrowband  
22 communications and for the operations and maintenance  
23 of legacy radio systems: *Provided further*, That of the  
24 amount made available under this heading, \$694,190,000  
25 shall be available only for information resource manage-

1 ment: *Provided further*, That of the amount made available  
2 under this heading, \$9,000,000 shall be available only for  
3 the East-West Center: *Provided further*, That, notwith-  
4 standing any other provision of law, not to exceed  
5 \$335,000,000 of offsetting collections derived from fees  
6 collected under the authority of section 104(a)(1) of the  
7 Foreign Relations Authorization Act, Fiscal Years 1994  
8 and 1995 (Public Law 103–236) during fiscal year 2002  
9 shall be retained and used for authorized expenses in this  
10 appropriation and shall remain available until expended:  
11 *Provided further*, That any fees received in excess of  
12 \$335,000,000 in fiscal year 2002 shall not be available  
13 for obligation and shall be returned to the General Fund:  
14 *Provided further*, That notwithstanding any other provi-  
15 sion of law, a citizen of the United States approved by  
16 the Department of State to serve as Deputy Director Gen-  
17 eral of the World Intellectual Property Organization shall,  
18 while serving in such position, be deemed an employee in  
19 a foreign area within the meaning of 5 U.S.C. Section  
20 5923, and qualify for a living quarters allowance as au-  
21 thorized by 5 U.S.C. 5923(2): *Provided further*, That a  
22 citizen of the United States approved by the Department  
23 of State to serve as Deputy Director General of the World  
24 Intellectual Property Organization shall, while serving in  
25 such position, be deemed as an employee approved for

1 transfer to an international organization within the mean-  
2 ing of 5 U.S.C. Section 352, and eligible to continue par-  
3 ticipating in the retirement, health benefit, group life in-  
4 surance, and other benefit programs as provided in that  
5 section: *Provided further*, That advances for services au-  
6 thorized by 22 U.S.C. 3620(c) may be credited to this ac-  
7 count, to remain available until expended for such services:  
8 *Provided further*, That no funds may be obligated or ex-  
9 pended for processing licenses for the export of satellites  
10 of United States origin (including commercial satellites  
11 and satellite components) to the People's Republic of  
12 China, unless, at least 15 days in advance, the Committees  
13 on Appropriations of the House of Representatives and the  
14 Senate are notified of such proposed action: *Provided fur-*  
15 *ther*, That of the amounts made available under this head-  
16 ing, \$5,000,000 shall be available only for the reimburse-  
17 ment costs incurred by the State of Hawaii for security  
18 expenses relating to the May 2001 Asian Development  
19 Bank Meeting: *Provided further*, That of the amount made  
20 available under this heading, \$45,419,000 shall only be  
21 available to implement the 1999 Pacific Salmon Treaty  
22 Agreement, of which \$20,000,000 shall be deposited in the  
23 Northern Boundary and Transboundary Rivers Restora-  
24 tion and Enhancement Fund, of which \$20,000,000 shall  
25 be deposited in the Southern Boundary Restoration and

1 Enhancement Fund, and of which \$5,419,000 shall be for  
2 a direct payment to the State of Washington for obliga-  
3 tions under the 1999 Pacific Salmon Treaty Agreement.

4 In addition, not to exceed \$1,252,000 shall be derived  
5 from fees collected from other executive agencies for lease  
6 or use of facilities located at the International Center in  
7 accordance with section 4 of the International Center Act,  
8 as amended; in addition, as authorized by section 5 of such  
9 Act, \$490,000, to be derived from the reserve authorized  
10 by that section, to be used for the purposes set out in  
11 that section; in addition, as authorized by section 810 of  
12 the United States Information and Educational Exchange  
13 Act, not to exceed \$6,000,000, to remain available until  
14 expended, may be credited to this appropriation from fees  
15 or other payments received from English teaching, library,  
16 motion pictures, and publication programs, and from fees  
17 from educational advising and counseling, and exchange  
18 visitor programs; and, in addition, not to exceed \$15,000,  
19 which shall be derived from reimbursements, surcharges,  
20 and fees for use of Blair House facilities.

21 In addition, for the costs of worldwide security up-  
22 grades, \$409,363,000, to remain available until expended.

23 CAPITAL INVESTMENT FUND

24 For necessary expenses of the Capital Investment  
25 Fund, \$210,000,000, to remain available until expended,  
26 as authorized: *Provided*, That section 135(e) of Public

1 Law 103–236 shall not apply to funds available under this  
2 heading.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General, \$28,427,000, notwithstanding section 209(a)(1)  
6 of the Foreign Service Act of 1980, as amended (Public  
7 Law 96–465), as it relates to post inspections.

8 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

9 For expenses of educational and cultural exchange  
10 programs, as authorized, \$242,000,000, to remain avail-  
11 able until expended: *Provided*, That not to exceed  
12 \$800,000, to remain available until expended, may be  
13 credited to this appropriation from fees or other payments  
14 received from or in connection with English teaching and  
15 educational advising and counseling programs as author-  
16 ized.

17 REPRESENTATION ALLOWANCES

18 For representation allowances as authorized,  
19 \$9,000,000.

20 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

21 For expenses, not otherwise provided, to enable the  
22 Secretary of State to provide for extraordinary protective  
23 services, as authorized, \$10,000,000, to remain available  
24 until September 30, 2003.



1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For necessary expenses for carrying out the Foreign  
 3 Service Buildings Act of 1926, as amended (22 U.S.C.  
 4 292–300), preserving, maintaining, repairing, and plan-  
 5 ning for, buildings that are owned or directly leased by  
 6 the Department of State, renovating, in addition to funds  
 7 otherwise available, the Main State Building, and carrying  
 8 out the Diplomatic Security Construction Program as au-  
 9 thorized, \$405,391,000, to remain available until ex-  
 10 pended as authorized, of which not to exceed \$25,000 may  
 11 be used for domestic and overseas representation as au-  
 12 thorized: *Provided*, That none of the funds appropriated  
 13 in this paragraph shall be available for acquisition of fur-  
 14 niture and furnishings and generators for other depart-  
 15 ments and agencies.

16 In addition, for the costs of worldwide security up-  
 17 grades, acquisition, and construction, \$661,560,000, to re-  
 18 main available until expended.

19 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR  
 20 SERVICE

21 For expenses necessary to enable the Secretary of  
 22 State to meet unforeseen emergencies arising in the Diplo-  
 23 matic and Consular Service, \$5,465,000, to remain avail-  
 24 able until expended as authorized, of which not to exceed  
 25 \$1,000,000 may be transferred to and merged with the

1 Repatriation Loans Program Account, subject to the same  
2 terms and conditions.

3 REPATRIATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$612,000, as authorized:  
5 *Provided*, That such costs, including the cost of modifying  
6 such loans, shall be as defined in section 502 of the Con-  
7 gressional Budget Act of 1974. In addition, for adminis-  
8 trative expenses necessary to carry out the direct loan pro-  
9 gram, \$607,000, which may be transferred to and merged  
10 with the Diplomatic and Consular Programs account  
11 under Administration of Foreign Affairs.

12 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

13 For necessary expenses to carry out the Taiwan Rela-  
14 tions Act, Public Law 96–8, \$17,044,000.

15 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

16 DISABILITY FUND

17 For payment to the Foreign Service Retirement and  
18 Disability Fund, as authorized by law, \$135,629,000.

19 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

20 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

21 For expenses, not otherwise provided for, necessary  
22 to meet annual obligations of membership in international  
23 multilateral organizations, pursuant to treaties ratified  
24 pursuant to the advice and consent of the Senate, conven-  
25 tions or specific Acts of Congress, \$1,091,348,000: *Pro-*  
26 *vided*, That any payment of arrearages under this title

For necessary expenses to pay assessed and other ex-  
penses of international peacekeeping activities directed to  
the maintenance or restoration of international peace and  
security, \$773,182,000, of which 15 percent shall remain  
available until September 30, 2003: *Provided*, That none  
of the funds made available under this Act shall be obli-  
gated or expended for any new or expanded United Na-  
tions peacekeeping mission unless, at least 15 days in ad-  
vance of voting for the new or expanded mission in the  
United Nations Security Council (or in an emergency, as  
far in advance as is practicable): (1) the Committees on  
Appropriations of the House of Representatives and the

1 Senate and other appropriate committees of the Congress  
 2 are notified of the estimated cost and length of the mis-  
 3 sion, the vital national interest that will be served, and  
 4 the planned exit strategy; and (2) a reprogramming of  
 5 funds pursuant to section 605 of this Act is submitted,  
 6 and the procedures therein followed, setting forth the  
 7 source of funds that will be used to pay for the cost of  
 8 the new or expanded mission.

9 INTERNATIONAL COMMISSIONS

10 For necessary expenses, not otherwise provided for,  
 11 to meet obligations of the United States arising under  
 12 treaties, or specific Acts of Congress, as follows:

13 INTERNATIONAL BOUNDARY AND WATER COMMISSION,  
 14 UNITED STATES AND MEXICO

15 For necessary expenses for the United States Section  
 16 of the International Boundary and Water Commission,  
 17 United States and Mexico, and to comply with laws appli-  
 18 cable to the United States Section, including not to exceed  
 19 \$6,000 for representation; as follows:

20 SALARIES AND EXPENSES

21 For salaries and expenses, not otherwise provided for,  
 22 \$7,452,000.

23 CONSTRUCTION

24 For detailed plan preparation and construction of au-  
 25 thorized projects, \$24,154,000, to remain available until  
 26 expended, as authorized.

1 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for  
 3 the International Joint Commission and the International  
 4 Boundary Commission, United States and Canada, as au-  
 5 thorized by treaties between the United States and Can-  
 6 ada or Great Britain, and for the Border Environment  
 7 Cooperation Commission as authorized by Public Law  
 8 103–182, \$6,879,000, of which not to exceed \$9,000 shall  
 9 be available for representation expenses incurred by the  
 10 International Joint Commission.

11 INTERNATIONAL FISHERIES COMMISSIONS

12 For necessary expenses for international fisheries  
 13 commissions, not otherwise provided for, as authorized by  
 14 law, \$20,780,000: *Provided*, That the United States' share  
 15 of such expenses may be advanced to the respective com-  
 16 missions, pursuant to 31 U.S.C. 3324.

17 OTHER

18 PAYMENT TO THE ASIA FOUNDATION

19 For a grant to the Asia Foundation, as authorized  
 20 by section 501 of Public Law 101–246, \$8,000,000, to  
 21 remain available until expended, as authorized.

22 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST

23 FUND

24 For necessary expenses of Eisenhower Exchange Fel-  
 25 lowships, Incorporated, as authorized by sections 4 and  
 26 5 of the Eisenhower Exchange Fellowship Act of 1990 (20

1 U.S.C. 5204–5205), all interest and earnings accruing to  
 2 the Eisenhower Exchange Fellowship Program Trust  
 3 Fund on or before September 30, 2002, to remain avail-  
 4 able until expended: *Provided*, That none of the funds ap-  
 5 propriated herein shall be used to pay any salary or other  
 6 compensation, or to enter into any contract providing for  
 7 the payment thereof, in excess of the rate authorized by  
 8 5 U.S.C. 5376; or for purposes which are not in accord-  
 9 ance with OMB Circulars A–110 (Uniform Administrative  
 10 Requirements) and A–122 (Cost Principles for Non-profit  
 11 Organizations), including the restrictions on compensation  
 12 for personal services.

13 ISRAELI ARAB SCHOLARSHIP PROGRAM

14 For necessary expenses of the Israeli Arab Scholar-  
 15 ship Program as authorized by section 214 of the Foreign  
 16 Relations Authorization Act, Fiscal Years 1992 and 1993  
 17 (22 U.S.C. 2452), all interest and earnings accruing to  
 18 the Israeli Arab Scholarship Fund on or before September  
 19 30, 2002, to remain available until expended.

20 EAST-WEST CENTER

21 To enable the Secretary of State to provide for car-  
 22 rying out the provisions of the Center for Cultural and  
 23 Technical Interchange Between East and West Act of  
 24 1960, by grant to the Center for Cultural and Technical  
 25 Interchange Between East and West in the State of Ha-  
 26 waii, \$14,000,000: *Provided*, That none of the funds ap-

1   appropriated herein shall be used to pay any salary, or enter  
 2   into any contract providing for the payment thereof, in  
 3   excess of the rate authorized by 5 U.S.C. 5376.

4                   NATIONAL ENDOWMENT FOR DEMOCRACY

5           For grants made by the Department of State to the  
 6   National Endowment for Democracy as authorized by the  
 7   National Endowment for Democracy Act, \$31,000,000, to  
 8   remain available until expended.

9                   RELATED AGENCY

10                  BROADCASTING BOARD OF GOVERNORS

11                  INTERNATIONAL BROADCASTING OPERATIONS

12           For expenses necessary to enable the Broadcasting  
 13   Board of Governors, as authorized, to carry out inter-  
 14   national communication activities, \$414,752,000, of which  
 15   not to exceed \$16,000 may be used for official receptions  
 16   within the United States as authorized, not to exceed  
 17   \$35,000 may be used for representation abroad as author-  
 18   ized, and not to exceed \$39,000 may be used for official  
 19   reception and representation expenses of Radio Free Eu-  
 20   rope/Radio Liberty; and in addition, notwithstanding any  
 21   other provision of law, not to exceed \$2,000,000 in re-  
 22   ceipts from advertising and revenue from business ven-  
 23   tures, not to exceed \$500,000 in receipts from cooperating  
 24   international organizations, and not to exceed \$1,000,000  
 25   in receipts from privatization efforts of the Voice of Amer-  
 26   ica and the International Broadcasting Bureau, to remain

1 available until expended for carrying out authorized pur-  
 2 poses.

### 3 BROADCASTING TO CUBA

4 For necessary expenses to enable the Broadcasting  
 5 Board of Governors to carry out broadcasting to Cuba,  
 6 including the purchase, rent, construction, and improve-  
 7 ment of facilities for radio and television transmission and  
 8 reception, and purchase and installation of necessary  
 9 equipment for radio and television transmission and recep-  
 10 tion, \$24,872,000, to remain available until expended.

### 11 BROADCASTING CAPITAL IMPROVEMENTS

12 For the purchase, rent, construction, and improve-  
 13 ment of facilities for radio transmission and reception, and  
 14 purchase and installation of necessary equipment for radio  
 15 and television transmission and reception as authorized,  
 16 \$16,900,000, to remain available until expended, as au-  
 17 thorized.

## 18 GENERAL PROVISIONS—DEPARTMENT OF STATE AND 19 RELATED AGENCY

20 SEC. 401. Funds appropriated under this title shall  
 21 be available, except as otherwise provided, for allowances  
 22 and differentials as authorized by subchapter 59 of title  
 23 5, United States Code; for services as authorized by 5  
 24 U.S.C. 3109; and hire of passenger transportation pursu-  
 25 ant to 31 U.S.C. 1343(b).



1        SEC. 402. Not to exceed 5 percent of any appropria-  
2        tion made available for the current fiscal year for the De-  
3        partment of State in this Act may be transferred between  
4        such appropriations, but no such appropriation, except as  
5        otherwise specifically provided, shall be increased by more  
6        than 10 percent by any such transfers: *Provided*, That not  
7        to exceed 5 percent of any appropriation made available  
8        for the current fiscal year for the Broadcasting Board of  
9        Governors in this Act may be transferred between such  
10       appropriations, but no such appropriation, except as oth-  
11       erwise specifically provided, shall be increased by more  
12       than 10 percent by any such transfers: *Provided further*,  
13       That any transfer pursuant to this section shall be treated  
14       as a reprogramming of funds under section 605 of this  
15       Act and shall not be available for obligation or expenditure  
16       except in compliance with the procedures set forth in that  
17       section.

18       SEC. 403. None of the funds made available in this  
19       Act may be used by the Department of State or the Broad-  
20       casting Board of Governors to provide equipment, tech-  
21       nical support, consulting services, or any other form of  
22       assistance to the Palestinian Broadcasting Corporation.

23       SEC. 404. There is hereby enacted into law S. 787  
24       of the 107th Congress (as introduced on April 26, 2001).

1        SEC. 405. Hereafter, none of the funds appropriated  
2 or otherwise made available for the United Nations may  
3 be used by the United Nations for the promulgation or  
4 enforcement of any treaty, resolution, or regulation au-  
5 thorizing the United Nations, or any of its specialized  
6 agencies or affiliated organizations, to tax any aspect of  
7 the Internet or international currency transactions.

8        SEC. 406. None of the funds appropriated or other-  
9 wise made available by this Act or any other Act for fiscal  
10 year 2002 or any fiscal year thereafter may be obligated  
11 or expended for the operation of a United States consulate  
12 or diplomatic facility in Jerusalem unless such consulate  
13 or diplomatic facility is under the supervision of the  
14 United States Ambassador to Israel.

15       SEC. 407. None of the funds appropriated or other-  
16 wise made available by this Act or any other Act for fiscal  
17 year 2002 or any fiscal year thereafter may be obligated  
18 or expended for the publication of any official Government  
19 document which lists countries and their capital cities un-  
20 less the publication identifies Jerusalem as the capital of  
21 Israel.

22       SEC. 408. For the purposes of registration of birth,  
23 certification of nationality, or issuance of a passport of  
24 a United States citizen born in the city of Jerusalem, the

1 Secretary of State shall, upon request of the citizen,  
 2 record the place of birth as Israel.

3 This title may be cited as the “Department of State  
 4 and Related Agency Appropriations Act, 2002”.

## 5 TITLE V—RELATED AGENCIES

### 6 DEPARTMENT OF TRANSPORTATION

#### 7 MARITIME ADMINISTRATION

#### 8 MARITIME SECURITY PROGRAM

9 For necessary expenses to maintain and preserve a  
 10 U.S.-flag merchant fleet to serve the national security  
 11 needs of the United States, \$98,700,000, to remain avail-  
 12 able until expended.

#### 13 OPERATIONS AND TRAINING

14 For necessary expenses of operations and training ac-  
 15 tivities authorized by law, \$89,054,000.

#### 16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

#### 17 ACCOUNT

18 For the cost of guaranteed loans, as authorized by  
 19 the Merchant Marine Act, 1936, \$100,000,000, to remain  
 20 available until expended: *Provided*, That such costs, in-  
 21 cluding the cost of modifying such loans, shall be as de-  
 22 fined in section 502 of the Congressional Budget Act of  
 23 1974, as amended.

24 In addition, for administrative expenses to carry out  
 25 the guaranteed loan program, not to exceed \$3,978,000,

1 which shall be transferred to and merged with the appro-  
2 priation for Operations and Training.

3 ADMINISTRATIVE PROVISIONS—MARITIME

4 ADMINISTRATION

5 Notwithstanding any other provision of this Act, the  
6 Maritime Administration is authorized to furnish utilities  
7 and services and make necessary repairs in connection  
8 with any lease, contract, or occupancy involving Govern-  
9 ment property under control of the Maritime Administra-  
10 tion, and payments received therefore shall be credited to  
11 the appropriation charged with the cost thereof: *Provided*,  
12 That rental payments under any such lease, contract, or  
13 occupancy for items other than such utilities, services, or  
14 repairs shall be covered into the Treasury as miscellaneous  
15 receipts.

16 No obligations shall be incurred during the current  
17 fiscal year from the construction fund established by the  
18 Merchant Marine Act, 1936, or otherwise, in excess of the  
19 appropriations and limitations contained in this Act or in  
20 any prior appropriation Act.

21 COMMISSION FOR THE PRESERVATION OF AMERICA'S

22 HERITAGE ABROAD

23 SALARIES AND EXPENSES

24 For expenses for the Commission for the Preservation  
25 of America's Heritage Abroad, \$489,000, as authorized by  
26 section 1303 of Public Law 99-83.

## 1 COMMISSION ON CIVIL RIGHTS

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Commission on Civil  
4 Rights, including hire of passenger motor vehicles,  
5 \$9,096,000: *Provided*, That not to exceed \$50,000 may  
6 be used to employ consultants: *Provided further*, That  
7 none of the funds appropriated in this paragraph shall be  
8 used to employ in excess of four full-time individuals under  
9 Schedule C of the Excepted Service exclusive of one special  
10 assistant for each Commissioner: *Provided further*, That  
11 none of the funds appropriated in this paragraph shall be  
12 used to reimburse Commissioners for more than 75  
13 billable days, with the exception of the chairperson, who  
14 is permitted 125 billable days.

## 15 COMMISSION ON OCEAN POLICY

## 16 SALARIES AND EXPENSES

17 For the necessary expenses of the Commission on  
18 Ocean Policy, pursuant to Public Law 106–256,  
19 \$2,500,000, to remain available until expended: *Provided*,  
20 That the Commission shall present to the Congress within  
21 18 months of appointment its recommendations for a na-  
22 tional ocean policy.

4       For necessary expenses of the Commission on Secu-  
5 rity and Cooperation in Europe, as authorized by Public  
6 Law 94-304, \$1,432,000, to remain available until ex-  
7 pended as authorized by section 3 of Public Law 99-7.

8 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE  
9 PEOPLE'S REPUBLIC OF CHINA  
10 SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$500,000, to remain available until expended.

14        EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

15                    SALARIES AND EXPENSES

**S 1215 PCS**

1 VII of the Civil Rights Act of 1964, as amended, sections  
 2 6 and 14 of the Age Discrimination in Employment Act,  
 3 the Americans with Disabilities Act of 1990, and the Civil  
 4 Rights Act of 1991, \$310,406,000: *Provided*, That the  
 5 Commission is authorized to make available for official re-  
 6 ception and representation expenses not to exceed \$2,500  
 7 from available funds.

## 8 FEDERAL COMMUNICATIONS COMMISSION

### 9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Communica-  
 11 tions Commission, as authorized by law, including uni-  
 12 forms and allowances therefor, as authorized by 5 U.S.C.  
 13 5901–5902; not to exceed \$600,000 for land and struc-  
 14 ture; not to exceed \$500,000 for improvement and care  
 15 of grounds and repair to buildings; not to exceed \$4,000  
 16 for official reception and representation expenses; pur-  
 17 chase (not to exceed 16) and hire of motor vehicles; special  
 18 counsel fees; and services as authorized by 5 U.S.C. 3109,  
 19 \$252,545,000, of which not to exceed \$300,000 shall re-  
 20 main available until September 30, 2003, for research and  
 21 policy studies: *Provided*, That \$218,757,000 of offsetting  
 22 collections shall be assessed and collected pursuant to sec-  
 23 tion 9 of title I of the Communications Act of 1934, as  
 24 amended, and shall be retained and used for necessary ex-  
 25 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-  
 2 propriated shall be reduced as such offsetting collections  
 3 are received during fiscal year 2002 so as to result in a  
 4 final fiscal year 2002 appropriation estimated at  
 5 \$29,788,000: *Provided further*, That any offsetting collec-  
 6 tions received in excess of \$218,757,000 in fiscal year  
 7 2002 shall remain available until expended, but shall not  
 8 be available for obligation until October 1, 2002.

#### 9 FEDERAL MARITIME COMMISSION

#### 10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Maritime  
 12 Commission as authorized by section 201(d) of the Mer-  
 13 chant Marine Act, 1936, as amended (46 U.S.C. App.  
 14 1111), including services as authorized by 5 U.S.C. 3109;  
 15 hire of passenger motor vehicles as authorized by 31  
 16 U.S.C. 1343(b); and uniforms or allowances therefor, as  
 17 authorized by 5 U.S.C. 5901–5902, \$17,450,000: *Pro-*  
 18 *vided*, That not to exceed \$2,000 shall be available for offi-  
 19 cial reception and representation expenses.

#### 20 FEDERAL TRADE COMMISSION

#### 21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Trade Com-  
 23 mission, including uniforms or allowances therefor, as au-  
 24 thorized by 5 U.S.C. 5901–5902; services as authorized  
 25 by 5 U.S.C. 3109; hire of passenger motor vehicles; not



1 to exceed \$2,000 for official reception and representation  
2 expenses, \$156,270,000: *Provided*, That not to exceed  
3 \$300,000 shall be available for use to contract with a per-  
4 son or persons for collection services in accordance with  
5 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*  
6 *ther*, That, notwithstanding any other provision of law, not  
7 to exceed \$156,270,000 of offsetting collections derived  
8 from fees collected for premerger notification filings under  
9 the Hart-Scott-Rodino Antitrust Improvements Act of  
10 1976 (15 U.S.C. 18a), regardless of the year of collection,  
11 shall be retained and used for necessary expenses in this  
12 appropriation, and shall remain available until expended:  
13 *Provided further*, That the sum herein appropriated from  
14 the general fund shall be reduced as such offsetting collec-  
15 tions are received during fiscal year 2002, so as to result  
16 in a final fiscal year 2002 appropriation from the general  
17 fund estimated at not more than \$0, to remain available  
18 until expended: *Provided further*, That none of the funds  
19 made available to the Federal Trade Commission shall be  
20 available for obligation for expenses authorized by section  
21 151 of the Federal Deposit Insurance Corporation Im-  
22 provement Act of 1991 (Public Law 102–242; 105 Stat.  
23 2282–2285).

## 1                   LEGAL SERVICES CORPORATION

## 2           PAYMENT TO THE LEGAL SERVICES CORPORATION

3           For payment to the Legal Services Corporation to  
4 carry out the purposes of the Legal Services Corporation  
5 Act of 1974, as amended, \$329,300,000, of which  
6 \$310,000,000 is for basic field programs and required  
7 independent audits; \$2,500,000 is for the Office of Inspec-  
8 tor General, of which such amounts as may be necessary  
9 may be used to conduct additional audits of recipients;  
10 \$12,400,000 is for management and administration and  
11 \$4,400,000 is for client self-help and information tech-  
12 nology: *Provided*, That none of such funds for manage-  
13 ment and administration shall be obligated or expended  
14 for any program that is in addition to, or expanded from,  
15 the programs funded under this heading for fiscal year  
16 2001, unless the Legal Services Corporation prepares a  
17 spending plan for such funds, and notifies the Committees  
18 on Appropriations of the House of Representatives and the  
19 Senate concerning the contents of the spending plan.

## 20           ADMINISTRATIVE PROVISION—LEGAL SERVICES

## 21                   CORPORATION

22           None of the funds appropriated in this Act to the  
23 Legal Services Corporation shall be expended for any pur-  
24 pose prohibited or limited by, or contrary to any of the  
25 provisions of, sections 501, 502, 503, 504, 505, and 506  
26 of Public Law 105–119, and all funds appropriated in this

1 Act to the Legal Services Corporation shall be subject to  
2 the same terms and conditions set forth in such sections,  
3 except that all references in sections 502 and 503 to 1997  
4 and 1998 shall be deemed to refer instead to 2001 and  
5 2002, respectively.

6 MARINE MAMMAL COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Marine Mammal Com-  
9 mission as authorized by title II of Public Law 92-522,  
10 as amended, \$1,957,000.

11 NATIONAL VETERANS BUSINESS DEVELOPMENT

12 CORPORATION

13 For necessary expenses of the National Veterans  
14 Business Development Corporation as authorized under  
15 section 33(a) of the Small Business Act, as amended,  
16 \$4,000,000.

17 SECURITIES AND EXCHANGE COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Securities and Ex-  
20 change Commission, including services as authorized by  
21 5 U.S.C. 3109, the rental of space (to include multiple  
22 year leases) in the District of Columbia and elsewhere, and  
23 not to exceed \$3,000 for official reception and representa-  
24 tion expenses, \$109,500,000 from fees collected in fiscal  
25 year 2002 to remain available until expended, and from

1 fees collected in fiscal year 2000, \$404,547,000 to remain  
2 available until expended; of which not to exceed \$10,000  
3 may be used toward funding a permanent secretariat for  
4 the International Organization of Securities Commissions;  
5 and of which not to exceed \$100,000 shall be available  
6 for expenses for consultations and meetings hosted by the  
7 Commission with foreign governmental and other regu-  
8 latory officials, members of their delegations, appropriate  
9 representatives and staff to exchange views concerning de-  
10 velopments relating to securities matters, development and  
11 implementation of cooperation agreements concerning se-  
12 curities matters and provision of technical assistance for  
13 the development of foreign securities markets, such ex-  
14 penses to include necessary logistic and administrative ex-  
15 penses and the expenses of Commission staff and foreign  
16 invitees in attendance at such consultations and meetings  
17 including: (1) such incidental expenses as meals taken in  
18 the course of such attendance; (2) any travel and trans-  
19 portation to or from such meetings; and (3) any other re-  
20 lated lodging or subsistence: *Provided*, That fees and  
21 charges authorized by sections 6(b)(4) of the Securities  
22 Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Secu-  
23 rities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be  
24 credited to this account as offsetting collections: *Provided*  
25 *further*, That fees collected as authorized by section 31 of

1 the Securities Exchange Act of 1934 (15 U.S.C. 78ee) for  
2 sales transacted on, and with respect to securities reg-  
3 istered solely on, an exchange that is initially granted reg-  
4 istration as a national securities exchange after February  
5 24, 2000 shall be credited to this account as offsetting  
6 collections: *Provided further*, That for purposes of collec-  
7 tions under section 31, a security shall not be deemed reg-  
8 istered on a national securities exchange solely because  
9 that national securities exchange continues or extends un-  
10 listed trading privileges to that security.

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,  
14 of the Small Business Administration as authorized by  
15 Public Law 105–135, including hire of passenger motor  
16 vehicles as authorized by 31 U.S.C. 1343 and 1344, and  
17 not to exceed \$3,500 for official reception and representa-  
18 tion expenses, \$333,233,000: *Provided*, That the Adminis-  
19 trator is authorized to charge fees to cover the cost of pub-  
20 lications developed by the Small Business Administration,  
21 and certain loan servicing activities: *Provided further*,  
22 That, notwithstanding 31 U.S.C. 3302, revenues received  
23 from all such activities shall be credited to this account,  
24 to be available for carrying out these purposes without fur-  
25 ther appropriations: *Provided further*, That \$88,000,000

1 shall be available to fund grants for performance in fiscal  
 2 year 2002 or fiscal year 2003 as authorized by section  
 3 21 of the Small Business Act, as amended.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector  
 6 General in carrying out the provisions of the Inspector  
 7 General Act of 1978, as amended (5 U.S.C. App.),  
 8 \$11,000,000.

9 BUSINESS LOANS PROGRAM ACCOUNT

10 For the cost of direct loans, \$1,860,000, to be avail-  
 11 able until expended; and for the cost of guaranteed loans,  
 12 \$93,500,000, as authorized by 15 U.S.C. 631 note, of  
 13 which \$45,000,000 shall remain available until September  
 14 30, 2003: *Provided*, That such costs, including the cost  
 15 of modifying such loans, shall be as defined in section 502  
 16 of the Congressional Budget Act of 1974, as amended:  
 17 *Provided further*, That during fiscal year 2002, commit-  
 18 ments to guarantee loans under section 503 of the Small  
 19 Business Investment Act of 1958, as amended, shall not  
 20 exceed \$3,750,000,000: *Provided further*, That during fis-  
 21 cal year 2002, commitments for general business loans au-  
 22 thorized under section 7(a) of the Small Business Act, as  
 23 amended, shall not exceed \$10,000,000,000 without prior  
 24 notification of the Committees on Appropriations of the  
 25 House of Representatives and Senate in accordance with  
 26 section 605 of this Act: *Provided further*, That during fis-

1 cal year 2002, commitments to guarantee loans under sec-  
 2 tion 303(b) of the Small Business Investment Act of 1958,  
 3 as amended, shall not exceed \$4,100,000,000.

4 In addition, for administrative expenses to carry out  
 5 the direct and guaranteed loan programs, \$129,000,000,  
 6 which may be transferred to and merged with the appro-  
 7 priations for Salaries and Expenses.

8 DISASTER LOANS PROGRAM ACCOUNT

9 For the cost of direct loans authorized by section 7(b)  
 10 of the Small Business Act, as amended, \$79,510,000, to  
 11 remain available until expended: *Provided*, That such  
 12 costs, including the cost of modifying such loans, shall be  
 13 as defined in section 502 of the Congressional Budget Act  
 14 of 1974, as amended.

15 In addition, for administrative expenses to carry out  
 16 the direct loan program, \$125,354,000, which may be  
 17 transferred to and merged with appropriations for Salaries  
 18 and Expenses, of which \$500,000 is for the Office of In-  
 19 spector General of the Small Business Administration for  
 20 audits and reviews of disaster loans and the disaster loan  
 21 program and shall be transferred to and merged with ap-  
 22 propriations for the Office of Inspector General; of which  
 23 \$115,000,000 is for direct administrative expenses of loan  
 24 making and servicing to carry out the direct loan program;  
 25 and of which \$9,854,000 is for indirect administrative ex-  
 26 penses: *Provided*, That any amount in excess of

1 \$9,854,000 to be transferred to and merged with appro-  
 2 priations for Salaries and Expenses for indirect adminis-  
 3 trative expenses shall be treated as a reprogramming of  
 4 funds under section 605 of this Act and shall not be avail-  
 5 able for obligation or expenditure except in compliance  
 6 with the procedures set forth in that section.

7 ADMINISTRATIVE PROVISION—SMALL BUSINESS

8 ADMINISTRATION

9 Not to exceed 5 percent of any appropriation made  
 10 available for the current fiscal year for the Small Business  
 11 Administration in this Act may be transferred between  
 12 such appropriations, but no such appropriation shall be  
 13 increased by more than 10 percent by any such transfers:  
 14 *Provided*, That any transfer pursuant to this paragraph  
 15 shall be treated as a reprogramming of funds under sec-  
 16 tion 605 of this Act and shall not be available for obliga-  
 17 tion or expenditure except in compliance with the proce-  
 18 dures set forth in that section.

19 STATE JUSTICE INSTITUTE

20 SALARIES AND EXPENSES

21 For necessary expenses of the State Justice Institute,  
 22 as authorized by the State Justice Institute Authorization  
 23 Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516),  
 24 \$14,850,000, to remain available until expended: *Pro-*  
 25 *vided*, That not to exceed \$2,500 shall be available for offi-  
 26 cial reception and representation expenses.



1 UNITED STATES-CANADA ALASKA RAIL COMMISSION  
2 SALARIES AND EXPENSES

3 For necessary expenses of the “United States-Canada  
4 Alaska Rail Commission”, as authorized by Title III of  
5 Public Law 106–520, \$4,000,000.

6 TITLE VI—GENERAL PROVISIONS

7 SEC. 601. No part of any appropriation contained in  
8 this Act shall be used for publicity or propaganda purposes  
9 not authorized by the Congress.

10 SEC. 602. No part of any appropriation contained in  
11 this Act shall remain available for obligation beyond the  
12 current fiscal year unless expressly so provided herein.

13 SEC. 603. The expenditure of any appropriation  
14 under this Act for any consulting service through procure-  
15 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
16 to those contracts where such expenditures are a matter  
17 of public record and available for public inspection, except  
18 where otherwise provided under existing law, or under ex-  
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. (a) The caption for section 504 of title 28,  
21 United States Code, is amended by replacing “Attorney”  
22 with “Attorneys”.

23 (b) Section 504 of title 28, United States Code, is  
24 amended by inserting after “General” the following, “and

1 a Deputy Attorney General for Combating Domestic Ter-  
2 rorism”.

3 (c) There is established within the Department of  
4 Justice the position of Deputy Attorney General for Com-  
5 bating Domestic Terrorism, who shall be appointed by the  
6 President, by and with the advice and consent of the Sen-  
7 ate.

8 (d) Subject to the authority of the Attorney General,  
9 the Deputy Attorney General for Combating Domestic  
10 Terrorism shall serve as the principal advisor to the Attor-  
11 ney General on, and, with the Deputy Director of the Fed-  
12 eral Emergency Management Agency, serve as one of two  
13 key government officials responsible for domestic  
14 counterterrorism and antiterrorism policy.

15 (e) The Deputy Attorney General for Combating Ter-  
16 rorism together with the Deputy Director of the Federal  
17 Emergency Management Agency shall coordinate all func-  
18 tions of the Federal Government related to domestic  
19 counterterrorism and antiterrorism activities, including—

20 (1) the development of a National Strategy for  
21 Combating Domestic Terrorism that shall establish  
22 national policies, objectives, and priorities for pre-  
23 venting, preparing for, and responding to domestic  
24 terrorism within the United States;

1           (2) the coordination of the implementation of  
2           the National Strategy for Combating Domestic Ter-  
3           rorism by the departments and agencies of the Fed-  
4           eral Government and by State and local entities with  
5           responsibilities for combating domestic terrorism;  
6           and

7           (3) the recommendation of changes in the orga-  
8           nization and management of Federal departments  
9           and agencies and State and local entities engaged in  
10          combating domestic terrorism to the Congress, the  
11          President, the Vice President, the Attorney General,  
12          and the Director of the Federal Emergency Manage-  
13          ment Agency.

14          (f) Subject to the authority of the Attorney General,  
15          the Deputy Attorney General for Combating Domestic  
16          Terrorism shall be responsible for State and local pre-  
17          paredness for weapons of mass destruction, security classi-  
18          fications and clearances within the Department of Justice,  
19          and contingency operations within the Department of Jus-  
20          tice.

21          (g) For necessary expenses of the Office of the Dep-  
22          uty Attorney General for Combating Domestic Terrorism,  
23          \$23,000,000, to remain available until expended.

24          (h) Notwithstanding any other provision of law, all  
25          authorities, liabilities, funding, personnel, equipment, and

1 real property associated with the Office of State and Local  
2 Domestic Preparedness Support, the National Domestic  
3 Preparedness Office, the Executive Office of National Se-  
4 curity, and such components which relate to domestic  
5 counterterrorism and antiterrorism activities in the Office  
6 of Intelligence Policy and Review as are appropriate shall  
7 be transferred to the Deputy Attorney General for Com-  
8 bating Domestic Terrorism not later than 90 days after  
9 enactment of this Act.

10 SEC. 605. (a) None of the funds provided under this  
11 Act, or provided under previous appropriations Acts to the  
12 agencies funded by this Act that remain available for obli-  
13 gation or expenditure in fiscal year 2002, or provided from  
14 any accounts in the Treasury of the United States derived  
15 by the collection of fees available to the agencies funded  
16 by this Act, shall be available for obligation or expenditure  
17 through a reprogramming of funds which: (1) creates new  
18 programs; (2) eliminates a program, project, or activity;  
19 (3) increases funds or personnel by any means for any  
20 project or activity for which funds have been denied or  
21 restricted; (4) relocates an office or employees; (5) reorga-  
22 nizes offices, programs, or activities; or (6) contracts out  
23 or privatizes any functions, or activities presently per-  
24 formed by Federal employees; unless the Appropriations

1 Committees of both Houses of Congress are notified 15  
2 days in advance of such reprogramming of funds.

3 (b) None of the funds provided under this Act, or  
4 provided under previous appropriations Acts to the agen-  
5 cies funded by this Act that remain available for obligation  
6 or expenditure in fiscal year 2002, or provided from any  
7 accounts in the Treasury of the United States derived by  
8 the collection of fees available to the agencies funded by  
9 this Act, shall be available for obligation or expenditure  
10 for activities, programs, or projects through a reprogram-  
11 ming of funds in excess of \$500,000 or 10 percent, which-  
12 ever is less, that: (1) augments existing programs,  
13 projects, or activities; (2) reduces by 10 percent funding  
14 for any existing program, project, or activity, or numbers  
15 of personnel by 10 percent as approved by Congress; or  
16 (3) results from any general savings from a reduction in  
17 personnel which would result in a change in existing pro-  
18 grams, activities, or projects as approved by Congress; un-  
19 less the Appropriations Committees of both Houses of  
20 Congress are notified 15 days in advance of such re-  
21 programming of funds.

22 SEC. 606. Section 286(d) of Public Law 82–414, as  
23 amended, is further amended—

24 (1) in subsection (d), by striking “\$6” and in-  
25 serting “\$7”; and

1           (2) in subsection (h), by adding at the end the  
2           following new paragraph:

3           “(3) Not less than nine percent of the total  
4           amounts deposited under this subsection in a fiscal  
5           year shall be available only to automate or otherwise  
6           improve the speed, accuracy, or security of the in-  
7           spection process.”.

8           SEC. 607. None of the funds made available in this  
9           Act may be used for the construction, repair (other than  
10          emergency repair), overhaul, conversion, or modernization  
11          of vessels for the National Oceanic and Atmospheric Ad-  
12          ministration in shipyards located outside of the United  
13          States.

14          SEC. 608. Section 140 of Public Law 97–92 (28  
15          U.S.C. 461 note; 95 Stat. 1200) is amended by adding  
16          at the end the following: “This section shall apply to fiscal  
17          year 1981 and each fiscal year thereafter.”.

18          SEC. 609. None of the funds made available in this  
19          Act may be used to implement, administer, or enforce any  
20          guidelines of the Equal Employment Opportunity Com-  
21          mission covering harassment based on religion, when such  
22          guidelines do not differ in any respect from the proposed  
23          guidelines published by the Commission on October 1,  
24          1993 (58 Fed. Reg. 51266).

1       SEC. 610. None of the funds made available by this  
2 Act may be used for any United Nations undertaking  
3 when: (1) the United Nations undertaking is a peace-  
4 keeping mission; (2) such undertaking will involve United  
5 States Armed Forces under the command or operational  
6 control of a foreign national; and (3) the President's mili-  
7 tary advisors have not submitted to the President a rec-  
8 ommendation that such involvement is in the national se-  
9 curity interests of the United States and the President has  
10 not submitted to the Congress such a recommendation.

11       SEC. 611. (a) None of the funds appropriated or oth-  
12 erwise made available by this Act shall be expended for  
13 any purpose for which appropriations are prohibited by  
14 section 609 of the Departments of Commerce, Justice, and  
15 State, the Judiciary, and Related Agencies Appropriations  
16 Act, 1999.

17       (b) The requirements in subparagraphs (A) and (B)  
18 of section 609 of that Act shall continue to apply during  
19 fiscal year 2002.

20       SEC. 612. Hereafter, none of the funds appropriated  
21 or otherwise made available to the Bureau of Prisons shall  
22 be used to provide the following amenities or personal  
23 comforts in the Federal prison system—

1           (1) in-cell television viewing except for prisoners  
2       who are segregated from the general prison popu-  
3       lation for their own safety;

4           (2) the viewing of R, X, and NC-17 rated mov-  
5       ies, through whatever medium presented;

6           (3) any instruction (live or through broadcasts)  
7       or training equipment for boxing, wrestling, judo,  
8       karate, or other martial art, or any bodybuilding or  
9       weightlifting equipment of any sort;

10          (4) possession of in-cell coffee pots, hot plates  
11       or heating elements; or

12          (5) the use or possession of any electric or elec-  
13       tronic musical instrument.

14       SEC. 613. Any costs incurred by a department or  
15   agency funded under this Act resulting from personnel ac-  
16   tions taken in response to funding reductions included in  
17   this Act shall be absorbed within the total budgetary re-  
18   sources available to such department or agency: *Provided*,  
19   That the authority to transfer funds between appropria-  
20   tions accounts as may be necessary to carry out this sec-  
21   tion is provided in addition to authorities included else-  
22   where in this Act: *Provided further*, That use of funds to  
23   carry out this section shall be treated as a reprogramming  
24   of funds under section 605 of this Act and shall not be



1 available for obligation or expenditure except in compli-  
2 ance with the procedures set forth in that section.

3 SEC. 614. Hereafter, none of the funds appropriated  
4 or otherwise made available to the Federal Bureau of Pris-  
5 ons may be used to distribute or make available any com-  
6 mercially published information or material to a prisoner  
7 when such information or material is sexually explicit or  
8 features nudity.

9 SEC. 615. (a) None of the funds appropriated or oth-  
10 erwise made available by this Act shall be expended for  
11 any purpose for which appropriations are prohibited by  
12 section 616 of the Departments of Commerce, Justice, and  
13 State, the Judiciary, and Related Agencies Appropriations  
14 Act, 1999, as amended.

15 (b) The requirements in subsections (b) and (c) of  
16 section 616 of that Act shall continue to apply during fis-  
17 cal year 2002.

18 SEC. 616. None of the funds appropriated pursuant  
19 to this Act or any other provision of law may be used for:  
20 (1) the implementation of any tax or fee in connection  
21 with the implementation of 18 U.S.C. 922(t); and (2) any  
22 system to implement 18 U.S.C. 922(t) that does not re-  
23 quire and result in the destruction of any identifying infor-  
24 mation submitted by or on behalf of any person who has

1 been determined not to be prohibited from owning a fire-  
2 arm.

3 SEC. 617. Notwithstanding any other provision of  
4 law, amounts deposited or available in the Fund estab-  
5 lished under 42 U.S.C. 10601 in any fiscal year in excess  
6 of \$576,462,000 shall not be available for obligation until  
7 the following fiscal year.

8 SEC. 618. Hereafter, none of the funds appropriated  
9 or otherwise made available to the Department of State  
10 and the Department of Justice shall be available for the  
11 purpose of granting either immigrant or nonimmigrant  
12 visas, or both, consistent with the Secretary's determina-  
13 tion under section 243(d) of the Immigration and Nation-  
14 ality Act, to citizens, subjects, nationals, or residents of  
15 countries that the Attorney General has determined deny  
16 or unreasonably delay accepting the return of citizens,  
17 subjects, nationals, or residents under that section.

18 SEC. 619. None of the funds made available to the  
19 Department of Justice in this Act may be used for the  
20 purpose of transporting an individual who is a prisoner  
21 pursuant to conviction for crime under State or Federal  
22 law and is classified as a maximum or high security pris-  
23 oner, other than to a prison or other facility certified by  
24 the Federal Bureau of Prisons as appropriately secure for  
25 housing such a prisoner.

1        SEC. 620. Section 504(a)(16) of the Commerce, Jus-  
2        tice, and State, the Judiciary, and Related Agencies Ap-  
3        propriations Act, 1996 (110 Stat. 1321–55; Public Law  
4        104–134) is amended by striking beginning with “, except  
5        that” through “representation”.

6        SEC. 621. The requirements of section 312(a)(3) of  
7        the Magnuson-Stevens Fishery Conservation and Manage-  
8        ment Act shall not apply to funds made available by sec-  
9        tion 2201 of Public Law 106–246.

10       SEC. 622. (a) Section 203(i) of the Act entitled “An  
11       Act to approve a governing international agreement be-  
12       tween the United States and the Republic of Poland, and  
13       for other purposes”, approved November 13, 1998, is  
14       amended by striking “2001” and inserting “2006”.

15       (b) Section 203 of such Act, as amended by sub-  
16       section (a), is further amended by adding at the end the  
17       following:

18       “(j) Not later than December 31, 2001, and every  
19       2 years thereafter, the Pacific State Marine Fisheries  
20       Commission shall submit to the Committee on Commerce,  
21       Science, and Transportation of the Senate and the Com-  
22       mittee on Resources of the House of Representatives a re-  
23       port on the health and management of the Dungeness  
24       Crab fishery located off the coasts of the States of Wash-  
25       ington, Oregon, and California.”.

1                   TITLE VII—RESCISSIONS  
2           DEPARTMENT OF STATE AND RELATED  
3                   AGENCY  
4   INTERNATIONAL ORGANIZATIONS AND CONFERENCES  
5   CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING  
6                   ACTIVITIES  
7                   (RESCISSION)  
8       Of the unobligated balances available under this  
9 heading, \$126,620,000 are rescinded.  
10       This Act may be cited as the “Departments of Com-  
11 merce, Justice, and State, the Judiciary, and Related  
12 Agencies Appropriations Act, 2002.”

**Calendar No. 95**

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1215**

**[Report No. 107-42]**

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**A BILL**

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

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JULY 20, 2001

Read twice and placed on the calendar